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# *House of Representatives*

The House met at 10 a.m. and was called to order by the Speaker.

## MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

## TOWN HALL MEETING IN CHICAGO

The SPEAKER. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, there is no doubt in my mind that the resistance to this President and his policies is growing in America's heartland. If the 1,200 people who came to my townhall meeting in Chicago on Monday night are any indication, there is a movement in the United States that is standing up to the fear, the racism, the lies, and the divisiveness that comes from the President, his people, and his Twitter account every single day.

The Logandale School auditorium and gym was packed. No, not like The National Mall on Inauguration Day with wide-open spaces and the President's imaginary crowd of 1.5 million people. No, my townhall was actually packed like The Mall on the day after the inauguration for the Women's March. It was a diverse crowd of people who care about America and defending their country. It was overwhelming.

We had Ahmed Rehab, the inspirational leader of CAIR-Chicago, talking about what was going on in Chicago to resist the President's new and unimproved ban on refugees and Muslims. He was joined by Equality Illinois, Planned Parenthood, and the Little Village Environmental Justice Organization, talking about how the people of Chicago are coming together to resist the President's attacks on women's health, on LGBTQ rights, on public schools and education, on women's rights, and on the environment.

It was the intersection of all of the communities and the issues that are under attack by President Trump and his co-President Bannon. This townhall was the mother of all intersectionality events—right there in Chicago, in America's heartland.

No, they were not paid activists. They were ordinary people trying to get answers and defend their community against an unprecedented threat coming from the White House and Republicans in Congress.

For more than an hour, I answered questions, and then I stayed in the parking lot for another hour and talked with people who still had questions—and some were heartbreaking.

A public school teacher I have known for years asked me how she can help her students. Her kids are being kept out of school or are losing sleep or are displaying signs of depression because of the fear that they have that they will be separated from their parents if they are deported. She wants to comfort them, but the reality is she cannot.

Individuals asked me how they can protect families who are terrified that they will get separated and destroyed.

Just this week, a mother I have known for years who has a stay of deportation and has been regularly reporting to ICE officials for years told me she is being deported in 6 weeks. She has a U.S. citizen husband and four U.S. citizen children, and she has complied with the law and she has complied and reported to authorities, only to be told that, under Trump, the rules have changed and she is now a top priority for deportation—not because she should be deported, but because she can be deported.

This fear is having an impact on families and children. But what came through to me at the townhall meeting is that families, vulnerable immigrants, and millions of children with a birthright to live as Americans are not alone. There are thousands and thousands of allies who are joining together to defend families in Chicago and everywhere else.

At the townhall on Monday, I appealed for help because this is the very same room that this coming Saturday, Mr. Speaker, my office will be holding a citizenship workshop. I asked those who are already citizens to come and help those who are applying for citizenship, and hundreds of hands went up in the air saying they are ready to help.

We scheduled the citizenship workshop because we are unable to satisfy my constituents' huge demand for citizenship information. Some days we have lines out the door at my office on Fullerton Avenue with people wanting to know: How can I become a citizen of the United States of America?

So all day Saturday, we will have a small army of family defenders trained in citizenship helping their neighbors pursue naturalization and the American Dream. Just as you see the school packed with voters and constituents, you will see the room packed this Saturday with people applying for citizenship to the United States of America and packed with Americans that are already citizens ready to help them.

That is what Chicago is all about, and that is what the heartland is all about, and that is what America is all about.

Women in hijabs and women in pink hats are standing together to fight attacks on Muslims and attacks on women's rights. Environmental activists are joining men and women who fly the

rainbow flag of the LGBTQ community to resist the President's agenda. The entire community will stand together as the mass deportation wave becomes a day-to-day reality in our communities. And the message is clear: if you come for one of us, you have to go through all of us.

My constituents demanded I be a wrench in Trump's cruel agenda, and I, Mr. Speaker, do not intend to disappoint them.

The SPEAKER pro tempore (Mr. DENHAM). Members are reminded to refrain from engaging in personalities toward the President.

## HEALTH CARE FOR MINERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, I met last week with a group of West Virginia coal miners who are worried about their future. They are worried about their pensions and healthcare benefits that will expire soon, benefits that they worked their whole life to earn, benefits the Federal Government promised them more than 70 years ago.

During our meeting at the UMWA Career Center in Beckley, I met Preston Thomas of Raleigh County. He spent 36 years in the mines before retiring in 2010. Preston relies on the healthcare benefits he earned to provide prescription drug coverage for his wife. If this coverage is allowed to expire in April, his wife will no longer have access to the medications she needs.

Mr. Speaker, Preston is asking—I am calling on—Congress to keep the promise we made to him, to his fellow miners, to their wives, to their husbands, to their widows. We must pass legislation I have cosponsored to protect these hard-earned benefits.

I urge my colleagues to join me in supporting this legislation and protecting the hardworking miners like Preston. We owe it to all of them to keep our word.

## REPUBLICAN ACA REPEAL BILL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. JAYAPAL) for 5 minutes.

Ms. JAYAPAL. Mr. Speaker, I rise in strong opposition to TrumpCare, the Republican plan to privatize Medicare, penalize working families, and prioritize the wealthy.

The Republican majority is in denial about the tremendous gains of the Affordable Care Act in covering tens of millions of people across this Nation.

In my home State of Washington, Mr. Speaker, because of the Affordable Care Act, the average annual premium increases have dropped from 18.5 percent, before the passage of the ACA, to 6.7 percent in 2017. The growth of individual enrollment reached nearly 320,000 people in 2015; and with Medicaid expansion in Washington State, the decline in the uninsured plummeted to 7 percent in 2015, from over 13 percent in 2009. 605,000 Washingtonians also gained coverage through Medicaid expansion.

All of these gains, Mr. Speaker, are in jeopardy as TrumpCare threatens to strip 20 million people, many of whom voted for Mr. Trump, of their health care. Across the Nation, older Americans will be forced to pay premiums five times higher than what others will pay for health care.

Four hundred of the wealthiest families in America will be handed a tax break worth $7 million a year, all on the backs of working families. According to the Tax Policy Center, under TrumpCare, the top 0.1 percent of earners would receive an average tax cut of $197,000, while older Americans would face increases of almost $7,000 each.

Under TrumpCare, many employers will stop providing coverage, letting their employees fend for themselves with a tax credit. Compared to the subsidies that Americans have today, the tax credits will end up being a tax hike.

Not only does TrumpCare impose radical new restrictions on a woman's right to comprehensive health coverage, it defunds Planned Parenthood, robbing women with nowhere else to turn of essential preventative care and affordable contraceptives.

Mr. Speaker, these are sad, sad facts. But the stories from hundreds of my constituents are even more heartbreaking. Lynn told me:

> If I were to get a bad illness, it would kill me financially. And the stress alone from having my health insurance taken is causing me health problems already.

Luke wrote to tell me that when his wife needed emergency gall bladder surgery while he was a student, the bills would have been crushing. He said:

> Without the ACA, we would have been saddled with nearly $40,000 in hospital bills, ER, one surgery, and one overnight stay.

Kristy shared:

> Without contraceptive care that is covered in the ACA, I would never be able to afford my IUD. I might have an unwanted pregnancy, and I wouldn't be able to afford another child. This means so much to me as a woman, a mother, and as a human. I am able to have power to make decisions about my family, and this means the world to me.

The lessons and stories like this, Mr. Speaker, are what we should be incorporating into our legislative deliberations, not cynical attempts to penalize people for wanting to have basic health insurance coverage for themselves and their families.

What is worse, the Republican majority seems intent on obscuring the real cost of this misguided proposal. Mr. Speaker, the majority deserves this President. They are cut from the same cloth and relying on the power of obfuscating the truth.

Since President Trump is not being forced to be transparent about his taxes or his financial entanglements with foreign interests like Russia, the Republican majority doesn't think that they need to ask the nonpartisan Congressional Budget Office to offer the true picture of how many people will be hurt by their bill and how much it will cost the American people. This is simply no way to govern.

At the most fundamental level, health care is a human right and not a luxury, as our Republican colleagues would have us believe; a healthy population is a healthy workforce; a healthy workforce is a healthy economy; and a healthy economy is a healthy nation.

TrumpCare puts all Americans at risk. Let's work together to protect and expand our health care and put this mess behind us.

## HONORING THE LIFE OF PATRICK LOWERY COGGINS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. KATKO) for 5 minutes.

Mr. KATKO. Mr. Speaker, I rise today to honor the life of a young man from my district, Patrick Lowery Coggins. Pat recently passed away at the young age of 27 after a courageous and lifelong battle with Duchenne muscular dystrophy.

Despite the challenges he faced, Pat lived a full and inspirational life, graduating from high school and college and then returning home to work in communications for the Syracuse Chiefs AAA baseball team.

I had the distinct honor and privilege of meeting Pat when he and his Central New York United teammates won the National Power Wheelchair Soccer Tournament in 2015. Pat and his teammates were incredible advocates for increased opportunities for individuals with disabilities.

And I might add that I got in one of those power wheelchairs and tried to do what Pat did playing soccer, and it was not easy. So I commend him for his skill in that regard as well.

□ 1015

Pat was beloved by his family, friends, coworkers, and so many in our community. He made a lasting and positive impact on all who knew and loved him.

In Pat's memory, and for all of those who suffer from rare and incurable diseases, we must continue to invest in research, treatments, and cures.

Rest in peace, Pat.

## END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, this week, the Food Research & Action Center, known as FRAC, and Feeding

America, in conjunction with the National Child and Adult Care Food Program Forum, hosted their annual fly-in. Over 1,200 hunger advocates from every State came to Washington, D.C., to meet with their local Members of Congress and to emphasize the importance of the Federal antihunger programs in alleviating food insecurity and poverty amongst our most vulnerable constituents.

These advocates delivered powerful messages to Members of Congress: as we consider the FY 2018 budget and appropriations legislation, and as we work to craft a 2018 farm bill, our antihunger safety net must stay intact. That means no block grants or structural changes to SNAP; no funding cuts to SNAP or any other antihunger programs.

These advocates, Mr. Speaker, also delivered paper plates to their Members of Congress containing powerful messages from constituents who rely on antihunger safety net programs.

I would urge all my colleagues to make sure they read these paper plates. These aren't statistics. These are real human beings. These are our constituents, our brothers and sisters.

I would like to read a few of the messages that were sent to me from people in my district.

This is from a client at the Northbridge Food Pantry in Massachusetts: ''Without food assistance, I wouldn't have any other source of nourishment. I have many medical issues, and a proper diet is necessary.''

This is from, again, another client from the Northbridge Food Pantry: ''Food stamps are important to me and my family because I have lung cancer, and it is next to impossible to find a job, to buy food. My husband barely makes enough to pay the bills, that is not counting food.''

Also, another client from the Northbridge Food Pantry: ''Food stamps is important to me 'cause I don't make any money to support myself, let alone I'm disabled and I only make $16 for SNAP. I need food to survive and to stay healthy.''

This is from a client at Centro Las Americas in Worcester: ''For me, they are very important, so that my children have good balance and nutrition.''

Also, from Centro Las Americas in Worcester: ''Well, for me, they fill a gap because I am a single father who has a child.''

This is from a client at the Marie Anne Center in Worcester, Massachusetts: ''I think SNAP is important because it helps, because it helps families.''

This is from a client at the Amherst Survival Center: ''It means there is food every night.''

Also, from the Amherst Survival Center: ''I thank God for the food pantry because most of my income goes toward bills. The food pantry really relieves the anxiety of not having enough to go around. Thank you.''

Also, from the Amherst Survival Center: ''I am in bad health. I can't work. The food pantry really helps my family. Thanks to the food pantry. Thanks Survival Center.''

Also, from the Amherst Survival Center: ''It means there is food every night.''

This is from Loaves and Fishes, a food pantry in Worcester, Massachusetts: ''A person has to live.''

Also, from Loaves and Fishes: ''It is very important that I get the food stamps. Please don't take them away. They help me out a lot.''

This is also from Loaves and Fishes: ''SNAP helps supplement my disability from cancers, but my benefit level has been cut.''

From the Marie Anne Center, a client writes: ''It is important to keep food stamps because other poor families don't have money. And the food stamps help them. Also, I think you should keep SNAP because if you take it away, that's basically you saying that other people won't eat.''

This is also from the Northbridge Food Pantry: ''In my given situation, without the local food banks and SNAP, I would not be able to eat three meals per day.''

From a client at Loaves and Fishes: ''A person has to live.''

Finally, this is from the Amherst Survival Center. A client writes: ''Thank you, Amherst Survival Center. You are a saving grace.''

Mr. Speaker, again, I urge my colleagues to understand that, in the United States of America, the richest country in the history of the world, we have close to 42 million Americans who are food insecure or hungry. They are our neighbors. They are counting on us in this Congress to do something, not to give them a cold shoulder.

I will, in all frankness, say to my colleagues that we are not doing nearly enough. Hunger is a political condition. We have the resources, we know what to do, but we don't have the political will.

So, rather than cutting these nutrition safety net programs, rather than threatening to block grant SNAP, cut SNAP, or cut other antihunger and nutrition programs, we ought to come together and support them. We ought to dedicate ourselves to ending hunger now. We have a moral obligation to do that.

I urge my colleagues to read the plates that were delivered to their offices and join with me in ending hunger now.

## LET'S FIX, NOT FIGHT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week, I had the opportunity to gather in Upper Senate Park with thousands of individuals from across the country to demand that Congress ''Fix Not Fight'' and work together to build a better, safer, and stronger nation.

The No Labels Problem Solvers Conference brought together thousands of citizens from across all 50 States to kick-start a year of action in creating a more united path forward for our country.

Proudly, I have been part of this movement from the beginning. As a member of the Problem Solvers Caucus, I hope we can all come to the table, find common ground, and focus on finding solutions.

Of course, there are some areas where we are never going to agree, and that is okay. Our differences should not divide us. Instead, we must exhibit good governance, good leadership, and serve our constituents in a manner that is worthy of the office we hold. After all, the only way that we will build a better America today and for all generations that follow us is if we come together now. Let's get to work.

### SUPPORT STUDENT LOAN DEBT RELIEF FOR FARMERS

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to talk about the cornerstones of our rural communities: our American farmers.

These men and women are stewards of all of our land and provide the country with a safe and affordable food supply, but we need to do more to cultivate the next generation of farmers. They face tough odds by the very nature of the business, and there is a critical shortfall of skilled young and beginning farmers and ranchers.

That is why, together with Congressman JOE COURTNEY of Connecticut and Congressman JOHN FASO of New York, we introduced the Young Farmer Success Act. This legislation will provide incentives for those who would like to pursue a future in the agriculture industry by adding farmers to the Public Service Loan Forgiveness Program, which currently offers loan payback assistance for professions such as government service, teaching, and nursing.

Under the program, eligible public service professionals who make 10 years of income-driven student loan payments can have the balance of their loans forgiven.

Farming is an expensive business to enter, in part because of skyrocketing land prices, and beginning farmers often see small profits or even losses in their first years of business.

In 2011, the National Young Farmers Coalition conducted a survey of 1,000 young farmers and found that 78 percent of respondents struggled with a lack of capital.

A 2014 followup survey of 700 young farmers with student loan debt found that the average burden of student loans was $35,000, and that 53 percent of respondents are currently farming, but have a hard time making their student loan payments; while another 30 percent are interested in farming, but haven't pursued it as a career because their salary as a farmer wouldn't be enough to cover their student loan payments.

Mr. Speaker, food security is national security and it aids the long-

term sustainability of our country. Our rural communities are in crisis and declining. We should do everything in our power to recruit a new generation of farmers.

Did you know that the number of new farmers entering the field of agriculture has dropped by 20 percent and the average farmer age has now risen above 58 years old? We must encourage new farmers to enter this critical industry.

I urge my colleagues to support the bipartisan Young Farmer Success Act. The skyrocketing cost of higher education and the growing burden of student loan debt are presenting major obstacles for young ranchers. The burden of student loan debt can thwart their ability to purchase the farming operations they need to get started and drive them away from a career in agriculture altogether.

Let's pass this bill and help the men and women who put food on the table for American families throughout America. Our farmers feed, and we should give them every incentive to continue to do so. The American people deserve a safe, reliable, and sustainable food source. Our farmers provide that.

## GOP ACA REPEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I just came from the Energy and Commerce Committee. That committee, along with the Ways and Means Committee and the Education and the Workforce Committee, is seized of the responsibility to consider the harmful American Health Care Act being offered by the Republicans as a better way. It is anything but a better way.

Mr. Speaker, they don't want the American public to see what they are doing. They met all through the night. They have been meeting now for over 24 hours, without sleep, without rest, without reflection, and with no opportunity, Mr. Speaker, for the American people to see what is going on. In the dead of night, out of the sight of the public, they are hiding their bill and rushing to judgment.

Why? Because they know, as they have seen in town meeting after town meeting after town meeting—that is, of course, those Republicans who have had town meetings—that the American public is extraordinarily concerned and worried they are going to lose the health care that they receive through the Affordable Care Act.

They are concerned about the premiums and deductibles that they have to pay skyrocketing because of the Republican bill that is being proposed. They are concerned that Medicare and Medicaid are going to be decimated and the life of Medicare reduced in terms of its ability to pay the benefits promised.

Mr. Speaker, the President stood at that rostrum and said he had a healthcare bill that was going to give healthcare coverage for everybody—not just some, but everybody—at less expense and greater quality. There is no such bill that the President has provided us with. If there is, and if he has such a bill, Mr. Speaker, I will support it, but it is certainly not the bill that the Ways and Means Committee ended its work on at 4:30 a.m. this morning.

The American people, Mr. Speaker, ought to be asking: What are you hiding? What is the rush? You have had 7 years to consider this bill. That is 7 years. We are meeting tomorrow, we are meeting next week, we are meeting the week after. It is not as if we are going on a summer break and we need to rush to judgment. It is not that we need to keep the American people out of consideration of this bill.

Mr. Speaker, Democrats in committee and on this floor are doing everything we can to slow down this process and to open the doors, open the windows, and keep the lights on so that the people who deserve to know how a Republican bill to repeal the Affordable Care Act will impact their lives and the lives of their family and their children.

□ 1030

Houses Republicans are marking up this bill without holding a single hearing—not one hearing—for a bill that gives $600 billion in tax cuts and cuts hundreds of billions of dollars from health care. The tax cuts go to the wealthiest in America. Perhaps that is why there are no hearings. Perhaps that is why they didn't invite any witnesses. Perhaps that is why they are rushing to judgment before the Congressional Budget Office, which is nonpartisan and will give us an accurate estimate of its cost and who is going to be hurt—Mr. Speaker, apparently they don't want the American people to get those facts before their representatives have to make a decision.

I know they voted for repealing the Affordable Care Act almost 65 times here in this House. Democrats have voted against that because we believe the Affordable Care Act is working.

Is it working perfectly? No.

Do we need to join together and make it work better for the American people? Yes.

This bill will impact, Mr. Speaker, every single American family and business. If enacted, it will force Americans across the country to pay more for less coverage and fewer benefits. Shamefully, Republicans are hoping they can jam this bill through the House and Senate before Members have to go home and face their constituents in April. That is why we are having to rush, because they don't want their Members to go home in April and say: This is what we are considering, what do you think? Because they know. Because they have had hearings, town meetings. They haven't had any hearings on this bill, but they have had town meetings, and every American has seen the reporting on that, angry Americans fearful that they are going to lose benefits absolutely critical to them and their families.

They continued marking up this bill through the night, using the very same tactics they claimed we were using when considering the Affordable Care Act. We had over 79 hearings not in the middle of the night, but during the day. We had over 181 witnesses. That is opposed to zero—zero—witnesses on this bill. Shame. It gives a lie to the representation of transparency and openness and accountability that our Speaker has said he would operate this House to ensure that those happened.

They used the same tactics that they claim, as I said, that we were considering. In fact, here is what Tom Price, who was then a member of the House of Representatives, now the Secretary of the Health and Human Services, said: ''The negotiations are obviously being done in secret and the American people really just want to know what they are trying to hide.''

He said that on January 6, 2010.

180 witnesses, 79 hearings, a year and a half or more of consideration, yet we have a bill that was introduced Monday night. Today is Thursday. Monday night it was introduced, and no hearings. Wednesday, deep into the night, and this morning this bill is being marked up.

KEVIN BRADY, the chairman of the Committee on Way and Means, who held a markup until 4:30 a.m., said this: ''I think there is never a more critical time for the American public to weigh in on an important issue than on health care today and there is a lot about this bill we don't know.''

He said that in a townhall August 10, 2009. Well, now he is chairman of the committee, and apparently he has decided that the American public doesn't need to know now. When we were in charge, he thought the public needed to know, and that is why we had those 79 hearings and 181 witnesses and townhalls, thousands of meetings and townhalls around the country on the Affordable Care Act. But Mr. BRADY apparently doesn't think that is applicable when he is in charge of the committee.

Then Speaker, now former Speaker John Boehner said this: ''Can you say it was done openly, with transparency and accountability? Without backroom deals struck behind closed doors, hidden from the people? Hell, no, you can't.''

But now the shoe is on the other foot, and my Republican colleagues are in charge. They are full speed ahead, and the doors are closed, the windows are shuttered, and the blinds are drawn.

The process we had in 2009 and 2010 to write and adopt the Affordable Care Act included, as I said, 79 hearings versus zero hearings on this bill. Zero. None. 181 witnesses that I have referred to. Zero witnesses, zero Americans included from the public in this process. We had a 2-year process that was open and recognized how consequential the

legislation would be, ensuring that Americans from all over the country, including doctors, healthcare organizations, providers, insurance companies, average citizens could weigh in.

Now in their rush to pass their repeal, Republicans are doing everything they said was wrong and much more. Republicans are terrified that the American people will find out what is in this bill. The problem they have is a lot of their Members have found out what is in this bill, and they don't like it. Hardly any newspaper in America likes it. We think the public is thinking they are moving too fast and are going to hurt them. They are afraid, however, of having to face angry constituents who will see that this bill will take healthcare coverage away from 20 million Americans and cause out-of-pocket costs to go up for millions more. This bill could destabilize even the employer-based insurance market. That is people who know nothing about the exchange, but they have insurance through their employer. This bill will destabilize their insurance as well.

The point is, Mr. Speaker, we don't know for sure how bad it is. We know it is bad, and that is information we ought to have before being asked to vote on the floor or in committee on such consequential legislation. My Republican friends say, well, we will have a CBO score by the time we consider it on the floor. But they don't want that information out for very long because it is going to be very negative.

Democrats will continue, Mr. Speaker, to do everything in our power to slow down this process and throw back the curtain Republicans have pulled over this bill and this process in an attempt to hide the details of their dangerous plan from the American people. We are ready, as I said, to turn the lights out in this Chamber before we let the Republican repeal bill turn the lights out on coverage and care for millions of our fellow Americans. I do not yield my conviction to oppose this bill as strongly, as long as I possibly can.

## PHILANDER SMITH COLLEGE CELEBRATES THE 140TH ANNIVERSARY OF ITS FOUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. HILL) for 5 minutes.

Mr. HILL. Mr. Speaker, the distinguished minority leader from Maryland certainly knows my great affection for him and his leadership of the opposition. We are the opposition here. I have to say that should he not have access to C–SPAN, like all of us, we invite him to tune in to C–SPAN and the Committee on Ways and Means and the Committee on Energy and Commerce and enjoy this long markup, Mr. Leader, and it is quite the contrary.

Mr. HOYER. Will the gentleman yield?

Mr. HILL. I yield to the gentleman from Maryland.

Mr. HOYER. It may not be true of your constituents, but most of my constituents were asleep between 12 and 6 this morning.

Mr. HILL. I thank the gentleman. Reclaiming my time, I recognize that. But the American people, Mr. Leader, want us to work to correct the deficiencies in the Affordable Care Act, to repeal and replace it, make it better for the American people, to lower premiums, give more access, let people choose the plan they want.

I would remind the leader that there was no C–SPAN camera in Ms. PELOSI's office when the original Affordable Care Act was cobbled together over Christmas break, certainly not in the light of the American people.

So I urge people who are watching C–SPAN today, go to readthebill.gop, understand what is going on to repair and replace the Affordable Care Act, engage with your Member of Congress, and let's make health care available for all of our citizens. Let's make it truly affordable. Let's take care of the least of these, but let's do it in a patient-centered, market-based approach.

Mr. Speaker, today I come to the House floor to honor my friends at Philander Smith College in Little Rock. They celebrate their Founder's Day, commemorating the 140th anniversary of their founding in 1877. Philander Smith is a Historically Black College and an early higher education institution built and created by former African-American slaves, the first such institution west of the Mississippi River.

Graduating thousands of students over its 140-year legacy, the college is particularly important to Arkansas' history, economy, and higher education community. Currently, approximately 760 students are enrolled at Philander Smith, and the college continues to play an integral role in preparing predominantly minority and low-income students for careers and employment in Arkansas and throughout our country. I always enjoy my opportunities to be on campus, engaging with their bright, dedicated young minds.

The college's president, Dr. Roderick Smothers, recently joined his HBCU colleagues here in Washington to meet with the White House and leadership in Congress and talk about the challenges facing our Historically Black Colleges and their students. I appreciate Dr. Smothers' dedication to his students and their education at Philander Smith. I am proud to represent such a historic and valuable institution.

I congratulate Philander Smith on its 140th anniversary. I look forward to many more decades of their success.

## HATE CRIMES IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, since November's election, it seems that there have been a rise in incidents of hate crimes in this country. This wave of hate crimes has spread fear and anxiety in communities of different faiths, ethnicities, and cultures across this country. On Tuesday, multiple Jewish community centers, schools, and organizations across the Nation, including in Atlanta, received anonymous bomb threats. This follows a wave of over 120 threats against Jewish community centers across America as well as the senseless desecration of graves at Jewish cemeteries countrywide.

I suspect, Mr. Speaker, that these are not unrelated incidents of juvenile delinquents. This is rank, organized anti-Semitic activity. It is systematic and organized activity meant to terrorize Jews in America. This comes at a time when Islamophobia is taking root and spreading across America. Mosques are being burned to the ground, Muslim children are being bullied at school, and Muslim women are subjected to having attackers snatching their hijabs from their heads as they walk the streets.

The President's Muslim ban is payback on the pledge he made to his supporters during the campaign. Meanwhile, in February, a 32-year-old Indian man was shot and killed, another was wounded, and a third man who intervened was shot and wounded by a gunman shouting ''Get out of my country.''

□ 1045

Again, on March 3, a Sikh man was shot in Seattle by an attacker yelling, ''Go back to your country.'' At that time, the attacker had a mask on. During these incidents, our President has remained uncharacteristically silent on these attacks. His silence comes after his anti-Mexican, anti-Muslim, and anti-Obama campaign sparked American White nationalists to feel emboldened.

This is a dangerous and slippery slope that we are on, ladies and gentlemen. It must end, and it must end now. As Dr. King once said: ''Injustice anywhere is a threat to justice everywhere.'' We must protect all communities that have come under assault.

Today I introduce the Reaffirming DHS' Commitment to Countering All Forms of Violent Extremism Act of 2017 to ensure that countering violent extremism funds within the Department of Homeland Security are used to tackle the rise of rightwing extremism, which threatens the safety of us all here in America.

## HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, ObamaCare is collapsing. It is hurting more people than it is helping. It is forcing Americans to buy insurance they don't like, they don't need, and cannot afford. Premiums have increased by an average of 25 percent this year. Deductibles

are skyrocketing. Nearly 70 percent of U.S. counties have only two or fewer insurers offering plans on their State's exchanges. Thirty-four percent fewer doctors and other healthcare providers accept ObamaCare insurance compared to private insurance. Congress must act decisively to protect the American people from this failed law.

The American Health Care Act is an important step in this process. While not perfect, it moves us significantly in the right direction, which is why The Wall Street Journal says that the legislation would be ''the most consequential social policy reform since the welfare overhaul of 1996.''

I am also encouraged that the committees of jurisdiction are, as we speak, entertaining amendments in regular order that will improve the legislation. But even without these amendments, the American Health Care Act is a dramatic improvement over ObamaCare.

The bill ends job-killing individual and employer mandates. It cuts $1 trillion of ObamaCare's worst taxes, including the medical device tax, the health care insurance tax, and the Medicare payroll tax. It blocks Federal funds from Planned Parenthood. It reduces regulations so that individuals can buy plans that they want and can afford. And it reforms Medicaid by returning power to the States.

Some have criticized this bill because it lacks certain important reforms that will bend the cost curve down, such as association health plans, interstate competition, reforms to facilitate more competition and choice in the private health insurance marketplace, and medical liability reform. These are important reforms, and I support them.

In fact, I have introduced a medical liability reform bill that would deal with the doctor shortage and junk lawsuits and reduce costs. Unfortunately, these reforms are not eligible for inclusion in the reconciliation bill under the rules of the Senate. But it is important to note that this is just the first phase in a three-phase process to repeal and replace ObamaCare.

This bill is a crucial and necessary first step in a step-by-step process. In stark contrast to ObamaCare, we are actually reading the bill, and we invite the American people to do the same—readthebill.gop. I hope all Americans will take this opportunity to learn more about this bill and offer their feedback.

Mr. Speaker, we have tried to put Washington in charge of health care. Now it is time to put patients, their doctors, and their families in charge.

### CFPB REGULATIONS HINDERING MANUFACTURED HOUSING FINANCING

Mr. BARR. Mr. Speaker, last month, a hospital worker in Paducah, Kentucky, applied for a loan of $38,500 to finance a manufactured home. He had an 8 percent down payment. His monthly income was $2,200 per month—plenty to cover the all-in housing costs of $670 per month. The payment for his own home would have been less than what he was spending on rent, but he was unable to get financing. He contacted his local banks and credit unions, but they did not finance manufactured homes.

This hospital worker from Kentucky can't get financing because of the very entity that was created to protect consumers—the Consumer Financial Protection Bureau. That is right, the Federal Government is protecting people right out of homeownership. Consumers are protected so much they can't even purchase a manufactured home.

Lenders have stopped making manufactured housing loans because of the Dodd-Frank Act and CFPB regulations. Even worse, current owners are having to sell their homes below market value to cash buyers because potential buyers can't find financing.

And this isn't just anecdotal. Government statistics prove that CFPB rules have prevented credit-worthy consumers from accessing affordable financing that would allow them to purchase manufactured homes. According to 2014 HMDA data, manufactured home loan volume for loans under $75,000 decreased in the first year that these regulations went into effect.

This is proof that many lenders who were previously willing to make manufactured home loans are no longer capable of doing so under Dodd-Frank. These are exactly the kinds of top-down bureaucratic Federal regulations that my constituents in rural Kentucky are fed up with.

The CFPB has the authority to make adjustments to its requirements, but it has refused to act even when the data shows that consumers are being harmed.

A bipartisan group of Members of this body came together in the last Congress to do what the CFPB has refused to do. The House voted three times to make these changes so that people seeking to purchase manufactured homes would have access to financing.

I invite my colleagues to join me in this fight for consumers. Let's work together to make these changes to the CFPB and to their regulations and stop Federal bureaucrats from hurting modest income Americans who need access to affordable housing and deserve access to the American Dream of homeownership.

## GUN VIOLENCE RESEARCH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. MURPHY) for 5 minutes.

Mrs. MURPHY of Florida. Mr. Speaker, each year, about 33,000 Americans die in gun-related incidents, and twice as many are wounded.

Over 60 percent of gun deaths are suicides. Individuals in emotional distress who attempt suicide with a gun rarely survive, so they don't get the chance to reconsider, to recover, and to live on.

Nearly 35 percent of gun deaths in this country are homicides, with one human being using a firearm to take the life of a fellow human being. These homicides occur as a part of the daily drumbeat of violence, particularly in cities, but also our suburbs and small towns.

Homicides in certain cities have become so customary they are relegated to the back pages of newspapers or not covered at all. Of course, the lack of public attention does not diminish the private pain felt by a victim's family and friends.

Homicides in America also take place in the context of mass shootings that make headlines because the carnage is so immense. The most recent incident was the deadliest in American history. On June 12, 2016, an individual using a semiautomatic rifle shot 49 people to death and wounded 53 at the Pulse nightclub in my hometown of Orlando.

My guest to the President's address to Congress last week was Dr. Marc Levy, a surgeon in Orlando. He and his team operated on victims of the Pulse nightclub shooting, some of whom had their bodies torn apart. As Dr. Levy and other first responders that fateful evening can attest, a weapon designed for the battlefield transformed a celebration of life into a scene of devastation and death that resembled a war zone.

Although Orlando united in the wake of the Pulse attack, earning the label ''Orlando Strong,'' our city was profoundly and permanently affected by this tragedy. I don't want another American community to experience what we have endured.

That is why today I am introducing legislation that would take a modest but meaningful step forward. Specifically, my bill would ensure that the CDC can offer evidence-based research into the causes of gun-related incidents and potential ways to reduce gun deaths and injuries. This research would inform policymakers as they consider whether to enact reasonable reforms that both save lives and protect the constitutional rights of law-abiding gun owners.

The decision rests with elected officials about whether to pass new laws designed to keep the most dangerous weapons out of the hands of the most dangerous individuals, in a manner consistent with the Second Amendment. But lawmakers of both parties should have the benefit of the best scientific research on the subject as they deliberate and debate.

My bill is necessary because, for 20 years, Congress has included a policy rider that, as a practical matter, has prevented the CDC and other HHS agencies from supporting research on gun-related incidents.

I can respect that elected officials, like the diverse Americans that they represent, have a range of views about the wisdom of enacting reasonable reforms within the space allowed by the Second Amendment. What I cannot respect is any lawmaker who would seek to suppress research into gun-related

incidents merely because the lawmaker fears this research could serve as the basis for legislative action that the lawmaker does not favor.

Restricting research because you disagree with its results is unAmerican to its core, a deviation from our proud national tradition of free and open inquiry.

As lawmakers, we must recognize that gun incidents are claiming the lives of too many of our citizens and tearing apart too many of our communities. In deciding how best to confront this challenge, we should seek out and sponsor research on this subject, not shun it.

For this reason, my bill would repeal the current policy rider and express the sense of Congress that no such policy riders should be enacted in the future.

I hope my colleagues will cosponsor this legislation, which underscores the importance of fact-based policymaking, and places people before politics.

## TRUMPCARE COSTS MORE AND DELIVERS LESS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, in listening to my colleagues on the other side of the aisle this morning, I am struck by the adage, ''You are entitled to your opinion, but you are not entitled to your own facts.''

I think it is important to note that the reality of the passage of the Affordable Care Act in 2010 was that there were hundreds of hours of hearings, many opportunities for all Members to provide input, mandatory processes that allowed for changes to that legislation that eventually became law, discussion, and a CBO analysis that shed light on the true cost—nothing like what has been described during the 24-hour whirlwind in the middle of the night that has resulted in the ramming through of legislation that will clearly increase costs and cover fewer individuals.

Mr. Speaker, as a mother, a breast cancer survivor, and a proud Floridian, I rise today in opposition to the majority's irresponsible proposal to repeal the Affordable Care Act.

After preaching for 7 years about a superior alternative to ObamaCare, my colleagues across the aisle have finally revealed their TrumpCare plan to the American people.

As you might expect from TrumpCare, it promises more, delivers less, has fewer protections, and costs more. In other words, it will make America sick again.

To add insult to injury, my Republican colleagues have moved this bill under the cover of darkness, without any hearings or even an analysis of its cost from the Congressional Budget Office.

However, we do have an earlier CBO report that estimates that 15 million people would lose health insurance just as a result of repealing the individual mandate, which this bill, of course, does.

Perhaps even more disturbing is the fact that President Trump told 129 million Americans like me, as a breast cancer survivor with preexisting conditions, that he would preserve the ACA provision prohibiting insurance companies from dropping us or denying us coverage, but he and his Republican colleagues in the House broke their promise and did not keep their word.

The bill would once again allow insurance companies to charge people higher premiums when they have a preexisting condition, which will make coverage unaffordable. That is unconscionable.

This bill will also punish millions of people who experience a lapse in coverage. Before we had the Affordable Care Act, an estimated 59.1 million people lacked continuous coverage for at least part of the previous year.

One of those 59.1 million people was Suzanne Boyd from my district in Sunrise, Florida, who, with two daughters heading to college, was just starting to realize her dream of owing her own special events small business as her full-time job. Suzanne had insurance coverage for years through her husband's employer-sponsored health plan, until 2012, when her husband, Mark, died of lung cancer. Two weeks later, the family lost their employer-sponsored health insurance. Only 5 months after that, Suzanne, now widowed and uninsured, was diagnosed with Hodgkin lymphoma.

As Suzanne has said, before the Affordable Care Act, she wouldn't even have been able to think about starting her own business. She probably would have looked for another corporate job with health benefits. But knowing she would soon be able to obtain insurance under the ACA and that her preexisting condition couldn't be held against her when she applied, she started her company in 2013. She eventually qualified for a plan that cost her $192 a month with substantial government subsidies.

□ 1100

Under the Republican plan, people like Suzanne may be forced to pay a 30 percent higher premium each month in order to receive care.

Make no mistake: these massive increases in healthcare costs dumped on the backs of American working families will only benefit the wealthiest few. The 400 richest families in America will see a tax break worth $7 million a year. That would make the GOP bill one of the largest transfers in wealth from low- and middle-income families to the wealthiest in recent memory.

This tax cut for the wealthy will also fall on the shoulders of seniors across America who will be forced to pay premiums five times higher than what younger individuals pay for health coverage. Not only is that cruel, but it is also unsustainable.

According to the 2016 Medicare Trustees Report, the Medicare trust fund is solvent until 2028, 11 years longer than what was expected before the enactment of the Affordable Care Act reforms. In contrast, as the AARP noted, certain repeal provisions in the GOP bill could hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

Millions of seniors depend on Medicare in conjunction with Medicaid to cover their long-term care needs, but Republicans' plans to make America sick again would destroy Medicaid as we know it. At least 11 million Americans stand to lose their healthcare coverage with the passage of this bill. And if you are fortunate enough not to be one of those 11 million, well, then I hope you are not, either, one of the tens of millions of seniors with long-term care needs, Americans with disabilities, pregnant women, children, or others who rely on Medicaid, because these drastic cuts and per capita caps are going to hurt them, too.

TrumpCare's assault on Medicaid will also disproportionately affect women. This is an unconscionable piece of legislation that must have the light of day shining on it and that must not be allowed to become law. Democrats will stand in the breach to make sure that Americans don't get sick like they used to.

## CELEBRATING SCHOOL SOCIAL WORKERS

The SPEAKER pro tempore (Mr. WOODALL). The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE) for 5 minutes.

Ms. MOORE. Mr. Speaker, the month of March is when social workers throughout the country celebrate Social Work Month. I am here today to honor a special group of social workers who work in one of the most important institutions in our society: our schools.

To honor the vital role school social workers serve in our communities, I am proud to introduce H.R. 171, to recognize the many contributions of school social workers and to designate this week, March 5 through 11, as School Social Work Week.

School social workers are critical members of a school's educational team. They strengthen partnerships between students' homes, schools, and communities as they work to ensure student academic success. School social workers are uniquely trained and specially equipped to mentor students who face emotional, academic, and behavioral barriers to learning.

Their expertise guides students through serious life challenges, including poverty, disability, sexual and physical abuse, addiction, bullying, and various forms of familial separation such as military deployment, divorce,

and incarceration. We now understand how these adverse childhood experiences and chronic exposures to the stressors affect the developing brain, particularly in a school setting where the academic demands are high and the social pressures can be life changing.

We must better support these students to overcome these barriers to success. We now have the science and research to inform our policies so that we are not just funneling these children out of a school system and into a prison system. We must prioritize the economic benefits of effective and preventive solutions and provide the necessary supports.

School social workers provide these services in our schools by connecting students and families to available resources in the community, particularly in areas that have been hit hardest by poverty. School social workers improve the success rate of children coming from a disadvantaged background, lending a much-needed hand in our efforts to create a more equal society. Families and communities want these services for their children. School districts should prioritize and invest in staffing models and programs that offer mental health services.

Research tells us that individuals who suffer from mental illness will have developed these symptoms by age 14. The Centers for Disease Control finds that behavioral disorders are increasing in youth and presenting themselves at younger ages. Fewer than one in five of these children will ever receive needed mental health services.

We also know that suicide is the second leading cause of death for young people ages 10 through 24. School mental health programs provided and enhanced by school social workers are critical to early identification of mental health problems.

Research indicates that school mental health programs improve educational outcomes by decreasing absences, decreasing disciplinary referrals, and improving academic achievement. Our students deserve the support. Our students need school social workers to help them succeed.

Unfortunately, there are often not enough school social workers available in school districts to meet the many, many needs of at-risk youth. The 1-to-250 maximum recommended ratio of school social workers to students is exceeded in almost all school districts in the United States, with some experiencing ratios as high as 1 to 21,000.

As we seek to improve our educational opportunities, maximizing the new opportunities and flexibility of the Every Student Achieves Act, let us use this week to recognize the contributions of school social workers and the vital role they play in helping our children reach their fullest potential.

## WHAT WE KNOW AND DON'T KNOW ABOUT THE GOP HEALTHCARE PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. TAKANO) for 5 minutes.

Mr. TAKANO. Mr. Speaker, I rise this morning to share with my constituents what we know about the Republican healthcare plan and, more importantly, what we don't know.

We know that the Republican proposal to replace the Affordable Care Act will cut taxes for the wealthiest people in America.

We know that it will eventually eliminate the Medicaid expansion, which is responsible for ensuring millions of Americans, including nearly 80,000 people in my district alone.

We know that the GOP replacement plan shifts costs to seniors and low-income families while restricting women's access to reproductive health.

We know that it is a windfall for the healthy and wealthy and a disaster for nearly everyone else.

Now, this is what we know about the GOP healthcare plan, but perhaps more alarming is what we don't know. My Republican colleagues cannot answer the two most important questions about their proposal: How much will it cost and how many people will it cover?

Mr. Speaker, Congress should not take any further action on this bill without knowing its impact on the budget and its consequences for the American people.

I am stunned—stunned—that my Republican colleagues are planning to move forward on a plan that is, quite literally, a matter of life and death for millions of American families without knowing exactly what they are moving forward with.

Mr. Speaker, in 2009 and 2010 when Democrats held a televised healthcare summit with Republican leaders, when the Senate HELP Committee marked up the Affordable Care Act over a full month and accepted 160 Republican amendments, and when the Senate Finance Committee held 31 meetings over 60 hours, even after that process, Republicans said that Democrats rammed the healthcare bill through Congress without reading it. Now the Republican majority is moving forward with their replacement plan without knowing what it costs and what it will mean for American families.

This level of hypocrisy and recklessness is insulting to the American people, and it is dangerous for the future of our healthcare system.

There is already plenty to dislike about what we know is in this bill. Who knows what we will find out when we uncover the rest.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 10 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of the universe, we give You thanks for giving us another day.

We ask Your blessing upon this assembly and upon all who call upon Your name. Send Your spirit to fill their hearts with those divine gifts You have prepared for them.

May Your grace find expression in their compassion for the weak and the poor among us, and may Your mercy encourage good will in all they do and accomplish this day.

As the Members of the people's House face the demands of our time, grant them and us all Your peace and strength that we might act justly, love tenderly, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from New Hampshire (Ms. KUSTER) come forward and lead the House in the Pledge of Allegiance.

Ms. KUSTER of New Hampshire led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, March 9, 2017.*

Hon. PAUL D. RYAN,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 9, 2017, at 9:16 a.m.:

That the Senate agreed to without amendment H.J. Res. 58.

That the Senate agreed to S.J. Res. 1.
That the Senate passed S. 496.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

## FLEXIBLE PELL GRANTS FOR 21ST CENTURY STUDENTS

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, the Pell Grant Program is the backbone of all Federal student aid. These grants provide access and opportunity to thousands of students across the country.

When I speak with North Country students and teachers in my district, I hear about the positive impacts of Pell grants. In my district, an average of 52 percent of students attending SUNY institutions are offered Pell grants.

Today's learners are different than previous generations, and their advancement toward completion is stifled by a Federal aid system built upon traditional spring and fall semesters. To support our students, I have introduced the Flexible Pell Grants for 21st Century Students Act, important legislation to expand access to Pell grants year-round. This change will allow students to accelerate toward completion and achieve their goals with less debt.

We must do more to bring flexibility to higher education, and I encourage all of my colleagues to support this important bill.

## HONORING TRUCKER DUKES

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, today let us honor and recognize a young Maui boy whose life touched hearts around the world and whose legacy will live on through the millions that he inspired.

Trucker Dukes was not quite 4 years old when he took his last breath this past Friday after a painful battle with stage IV neuroblastoma and 2 years of intense treatment.

Trucker's dad is a firefighter, and like father, like son, Trucker loved fire trucks. When Trucker went to New York for treatment, the New York Fire Department coordinated a very special third birthday party celebration and swore him in as an honorary firefighter.

After Trucker passed away, his parents, Shauna and Joshua, shared this message: ''If there's one thing I hope, it is that you love a little harder . . . a little better. Go home, stop the craziness in your life, and just kiss your loved ones more, tell them you love them more. None of us are promised tomorrow.''

## RECOGNIZING THE BEST BUDDIES FRIENDSHIP WALK IN SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, since its creation in 1989, Best Buddies has grown into a leading nonprofit entity that has provided countless opportunities for people with intellectual and developmental disabilities. Through its eight programs, participants are able to learn social skills, leadership development, integrated employment, and so much more. Today, Best Buddies has a presence in all 50 States and has spread internationally across many continents.

I am also proud to say that the founder and the chairman of Best Buddies, Anthony Shriver, is a Floridian and a constituent.

This Saturday, Best Buddies will be hosting its South Florida Friendship Walk which will take place at Museum Park, located in my congressional district, and I pray for a safe and successful event.

I would like to express my tremendous appreciation to Best Buddies and the truly great people who support its cause.

## HONORING THE LATE CONGRESSMAN ENI FALEOMAVEGA

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, as chair of the Congressional Asian Pacific American Caucus, or CAPAC, I rise today to honor our former colleague, the Honorable Eni Faleomavega of American Samoa, who passed away last month.

Eni was a true patriot, leader, and friend who dedicated his life to serving our country. His unwavering commitment to improving the lives of all Americans was integrally woven into the fabric of his distinguished military and public service career.

As a founding member of CAPAC, he was also a strong champion for the Asian American, Native Hawaiian, and Pacific Islander community across the country.

Throughout his nearly three decades in Congress, he led notable efforts to secure critical funding for American Samoa and worked tirelessly to cultivate stronger U.S. relations throughout the Asia-Pacific region.

It was a privilege to work with Eni, and I will never forget his warmth and strong dedication to bettering our community and our country.

I thank Eni for his lifetime of leadership and service and send my thoughts to his family during this difficult time.

## FIXING OUR BROKEN HEALTHCARE SYSTEM

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise today because ObamaCare has failed the American people; and one of its biggest failures is that, instead of lowering costs, healthcare prices have increased. Americans are paying more for coverage, and families are hurting.

In my State of Tennessee, premiums are rising by an average of 63 percent. Why pay so much for health insurance if you still can't afford to see a doctor? It puts us right back where we started. And no one—no one—thought the status quo before ObamaCare was good enough.

I am glad to see the American Health Care Act was released, and I look forward to working on specific legislative details with my colleagues so that we can finally fix our broken healthcare system.

## THE AFFORDABLE CARE ACT

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to express my deep concern with the proposal put forward by my Republican colleagues to repeal the Affordable Care Act.

Most Americans want to increase access to health care, lower costs, and cover more Americans; but this bill, TrumpCare, will increase costs, limit access, and cover fewer Americans.

This plan will cut Medicaid, which has helped literally tens of thousands of people in my State—in the Granite State—access health insurance for the first time.

It has increased treatment and recovery services for those struggling with substance use disorder.

We, like many States across this country, are grappling with a heroin epidemic. People are dying in my district from heroin overdoses and the fatal synthetic fentanyl. For the first time, they have access to health care. They have access to drug treatment. They have access to recovery services. And yet this bill will pull the rug out from underneath these Granite Staters and their families.

I urge my colleagues to vote ''no.''

## AMERICANS HURT BY OBAMACARE

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, today I rise to talk about Melanie, a constituent from Ohio's Seventh Congressional District.

Melanie and her husband are near retirement. Before ObamaCare, their monthly health insurance premiums were around $600. ObamaCare promised them reduced insurance premiums and increased access to care.

But this promise to Melanie, like it was to millions of Americans, was broken. Melanie's premium skyrocketed to nearly $1,000 a month for a plan with a $5,000 deductible. Her monthly premium is now more than their mortgage.

When her husband was laid off, their options were limited: continuing coverage through COBRA or entering the ObamaCare marketplace. The ObamaCare plans were even more expensive. While Melanie's husband was looking for work, they depleted their savings trying to maintain health insurance.

Melanie is one of millions of Americans who have been hurt by ObamaCare. It has raised Melanie's premiums and deductible, and when she needed an affordable option in an emergency, it wasn't there.

ObamaCare is collapsing. It is time to repeal it and provide relief to the millions of Americans suffering because of it.

## COASTAL EROSION

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, climate change is real; and it is so real that, before Donald Trump became President, he petitioned Ireland for a permit to build a seawall for one of his greatest golf courses in the world. His permit application said rising sea levels and extreme weather conditions from climate change threatened his property.

As President, he seems to have changed his tune. In fact, a draft budget proposal from the administration zeros out investments in NOAA'S Coastal Zone Management Program, zero dollars for an initiative that provides critical resources to communities facing the same threat from rising sea levels as the President's golf courses.

You know, if it sounds like I am outraged about this, it is because I find this so outrageous. This is going to hurt people in coastal communities.

I would like to invite the President to Taholah on the Quinault Indian Reservation. Tribal elders would tell him that the ocean that was once a football field away is now their front porch and creeps closer and closer every day.

They would like a brand-new seawall, too. But, unfortunately, they aren't billionaires. They need a partner in the Federal Government to protect their homes. So do folks in Ocean Shores and Westport and Neah Bay and coastal communities throughout my State.

Before releasing his budget, I hope the President remembers that it is not just his golf course that is at risk. We are talking about people's homes and people's lives, and they deserve better than this.

## OBAMACARE HURTING TEXAS FAMILIES

(Mr. CARTER of Texas asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Texas. Mr. Speaker, ObamaCare is hurting Texas families, as the Speaker knows. The law has led to higher costs, fewer choices, and less access to the quality health care that is what the American people deserve.

Currently, over 70 percent of the counties nationwide have two or fewer insurers. Texas could see as much as a 48 percent rate increase in 2017. This is proof that ObamaCare is failing.

Hardworking Americans and their families have been begging for an end to the ObamaCare burden. It is up to this House to provide one.

House Republicans have forged a new path to patient-centered health care. Our plan looks out for the most vulnerable and allows for Americans to choose a plan that best suits their healthcare needs.

I am committed to repealing the broken promises of ObamaCare and replacing them with health care that works for Texas families.

□ 1215

## TRUMPCARE

(Mr. JEFFRIES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFRIES. Mr. Speaker, this is day 49 of the Trump administration, which has been characterized by chaos, crisis, and confusion. Donald Trump promised to bring the jobs back, but the jobs bill must be in the witness protection program because, for the life of me, I can't find it.

Instead, we get TrumpCare, a bill that would destroy health care in America as we know it. TrumpCare will increase premiums on the American people. TrumpCare will increase copays on the American people. TrumpCare will increase deductibles on the American people. TrumpCare will increase the cost of prescription drugs on the American people. TrumpCare will reduce coverage for the American people. TrumpCare will be a disaster. And that is why House Democrats are going to do everything in our power to stop this reckless version of health care for America.

## CONGRATULATIONS TO THE CHURUBUSCO HIGH SCHOOL BASKETBALL TEAM

(Mr. BANKS of Indiana asked and was given permission to address the House for 1 minute.)

Mr. BANKS of Indiana. Mr. Speaker, I rise today to recognize a historic accomplishment that took place this past Saturday night in northeast Indiana. As you may know, in Indiana, we love basketball. We affectionately refer to our passion for the game as Hoosier Hysteria.

This is a special time of the year for Hoosiers. Every year, high school teams across our State compete in the annual Indiana high school basketball tournament. For one team, this year turned into a special season. Churubusco High School, located in Whitley County, first competed in the Indiana boys high school tournament in 1981. Over the years, many great players wore the Eagles uniform, but Churubusco High School never won a sectional title until this year.

This past Saturday night the Eagles claimed the Class 2A Woodlan Sectional, winning Churubusco's first sectional championship trophy in the 99-year history of its boys basketball program. Eagle senior Luke Foote, who scored 26 points in the sectional championship game, said after the win: ''It is huge for the community knowing that history was made. It means a lot to the guys that put on the jersey before us. . . . ''

I congratulate the Churubusco Eagles, head coach Chris Paul, and the entire Churubusco community on this historic accomplishment. The celebration of this sectional title is truly a century in the making.

## REPUBLICAN HEALTHCARE BILL

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, for 7 years, Republicans have been making promises about their secret healthcare plan. They said that under their plan, nobody would have to carry health insurance if they did not want to; and then when they got sick, they could demand their health insurance with no exclusions for preexisting conditions, no limits on coverage for expensive diseases, and that their coverage would be better and cheaper than ObamaCare for all Americans.

While they made these questionable promises, the Affordable Care Act provided more than 20 million Americans with lifesaving health care. And now, after 7 years, Republicans have finally revealed their secret plan. We now see that virtually all their promises were lies. Their plan will rapidly bankrupt Medicare, and those over 50 will see massive cost increases, and millions will lose their health care.

They did keep one promise, though. Massive new tax cuts for the wealthy. For that, millions of American families will pay a terrible price.

## REPUBLICAN RESCUE MISSION

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Mr. Speaker, as a physician, I know firsthand ObamaCare

is in a death spiral. Now we are on a rescue mission. The President and our replacement bill repeals the ObamaCare mandates and taxes, but preserves three important protections:

One, we don't allow denying coverage or charging patients more with preexisting conditions.

Two, we don't allow insurers to charge women more for being women.

Three, we allow children to stay on their parents' plan until age 26.

Going forward, we bend the cost curve downward by decentralizing health care, promoting competition, and expanding HSAs. We make health care more affordable by providing tax credits, creating value pools, and more judiciously redirecting Medicaid dollars back to those who need it most: children, elderly, and those with disabilities.

## BOB LEVINSON'S FAMILY DESERVES ANSWERS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, today, March 9, marks 10 years since my constituent Bob Levinson disappeared in Iran. I had hoped that I would not have to come to the floor today to mark this day or to introduce another resolution on Bob. I had hoped that Bob would be home in south Florida with his wife, his seven children—one of whom is with us today—and his six grandchildren. Bob should be home in time to see his two new grandchildren born later this year.

Ten years is too long. This family deserves answers. Iran must stop playing games, promising to assist finding Bob, agreeing last year to open a new dedicated channel for Bob's case, only time and time again refusing to follow through. Iran must provide meaningful information that will bring Bob home. This new administration must press Iran at every opportunity. I stand ready to work with them and with anyone who is committed to bringing Bob back home to his family where he belongs.

## DRIVING DOWN HEALTHCARE COSTS

(Mr. FERGUSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FERGUSON. Mr. Speaker, I rise today in support of the American Health Care Act. For 25 years, I practiced dentistry in Georgia's Third District, and I saw firsthand a healthcare system in need of reform to reduce costs and increase access to care.

After ObamaCare was signed into law, these problems only got worse. I saw my patients, friends, and neighbors forced away from their doctors that they trusted. Instead of decreasing costs, patients saw their premiums skyrocket, their deductibles skyrocket, and their access to care limited. As a healthcare provider, I want to do what is best for my patients. I committed to them that I would come to Congress to repeal ObamaCare and undo the damage that it has done to our healthcare system.

The legislation we are currently considering in the House, the American Health Care Act, is just the first step toward keeping that promise. By passing this legislation, we begin to move the ball down the field and gain yardage rather than continuing to lose ground. This is not our only play. It is the first step in beginning to drive down costs and increasing access to care for patients.

This legislation will keep our promise to repeal ObamaCare and eliminate the government mandates that force people to purchase a product that they don't want. It will allow patients the freedom to make their own healthcare decisions and drive down their costs.

## REPEALING THE ACA HURTS MY DISTRICT

(Mr. EVANS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVANS. Mr. Speaker, I want to share with you what repealing the Affordable Care Act means to Pennsylvania's Second Congressional District:

369,000 people who receive health care from their employers could lose consumer protections;

335,000 people with health coverage that covers preventive care services could lose their coverage;

62,000 people covered by Medicaid expansion could lose their coverage;

21,000 people who receive financial assistance will be at greater risk of not being able to afford coverage.

These are our mothers and fathers, brothers and sisters, sons and daughters, and friends and neighbors. Philadelphia deserves a healthcare law that offers quality, affordable care. We must continue to speak up and speak out against the new healthcare law that hurts so many people in our city, our State, and our Nation.

## HONORING SARA WOODS

(Mr. BACON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BACON. Mr. Speaker, in honor of Women's History Month, I recognize a dedicated public servant from Nebraska. Sara Woods' contributions to our community as an educator, volunteer, and leader serve as a model for current and future generations across our Nation.

Mrs. Woods has lived a life of service and inspiration impacting the community with her dedication. Throughout her educational career, she has encouraged her students to be engaged learners. Sara was crucial in the creation of many service organizations whose purpose is to equip, train, and encourage young leaders to serve their communities. She currently serves on the boards of several nonprofits in Omaha and works to improve conditions for youth, women, and the homeless.

In recognition of her service, she received the University of Nebraska Omaha Chancellor's Award in 2005 and the YWCA Women of Distinction award in 2009.

Sara now oversees the operation of the Barbara Weitz Community Engagement Center. She was involved in the creation and development of this institute, which works to combine great ideas and organizations with the boundless energy of the University of Nebraska Omaha campus.

Mrs. Woods has helped cultivate the same passion for service in others and fostered stronger bonds within our community and beyond. We would do well to adopt her inspiring passion for public service.

## HONORING VAIL TOWN MANAGER STAN ZEMLER

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body to recognize Mr. Stan Zemler of Vail, Colorado, who is leaving local government service after a career of over 30 years in our great State of Colorado.

Mr. Zemler served as the town of Vail's manager for the past 13 years. Before that, as the city of Boulder's acting and deputy city manager, as the Boulder Urban Renewal Authority's executive director, and as the CEO of the Boulder Chamber of Commerce, where I met Stan almost 20 years ago. What a terrific career with positive impacts on both Boulder County and Eagle County, two very important counties in my district.

Stan's leadership is about community partnering and consensus building. He really worked hard with various agencies, including Federal, State, local government, with the U.S. Forest Service, and the Department of Transportation to enhance Vail's local community, international guest services and amenities, and strengthened its economic position as a sustainable international resort.

He has been active in working with others in the I–70 Coalition and Colorado Association of Ski Towns. He has won numerous awards for his service. He will be missed in Eagle County for his service. We remember him fondly in Boulder County.

Mr. Speaker, it is with great pride that I rise to pay tribute to Stan Zemler on behalf of the residents of the Second Congressional District and myself personally. His distinguished service to the town of Vail and municipal government is an important legacy for many years to come.

## HEALTH INSURANCE IN NAME ONLY

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to highlight a few of my constituents who are struggling under the weight of ObamaCare. Like many Americans who are self-employed, Kim and Randall are two Kansans who obtain health insurance under the Affordable Care Act's marketplace.

Kim's premiums have more than doubled from $188 to $392 per month; but, worse, her deductible has actually gone from about $700 to $6,500. Randall's premiums are even worse, coming in at around $700 per month, with a deductible of $6,800.

I reference these two examples because they highlight one of the primary problems of the Affordable Care Act: coverage with deductibles approaching $7,000 really isn't coverage at all. It is health insurance in name only.

This week House Republicans have rolled out the initial draft of our plan to repeal and replace the ACA. We are doing it thoughtfully and carefully through the open committee process as we speak. The bill and summaries are available online at readthebill.gop.

Mr. Speaker, ObamaCare is collapsing. Let's work together as Democrats and Republicans to repair our broken healthcare system and truly give the American people access to affordable care.

## TRUMPCARE IS A DISASTER

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TED LIEU of California. Mr. Speaker, I rise to oppose TrumpCare. This legislation is a ''bigly'' disaster. TrumpCare will cause Americans to pay more for less health insurance coverage. It doesn't just affect the 20 million people who are now at threat of losing their health insurance. It affects all 156 million Americans under employer-based health coverage whose premiums will now increase because of the chaos that TrumpCare is causing in the health insurance markets.

I agree with Republican Senator TOM COTTON about once every 3 years. This is one of those times. We both agree that TrumpCare is a disaster and that the House Republicans need to start over.

□ 1230

## CARING FOR OUR VETS

(Mr. ARRINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARRINGTON. Mr. Speaker, I am so proud and so excited and so honored to be able to serve in the United States House of Representatives and to serve on the Veterans' Affairs Committee. I did not serve in the military, but now I have the amazing blessing of serving those who did serve to protect our freedom to keep us safe.

I am filing my first piece of legislation today, and it is the Veterans, Employees and Taxpayer Protection Act of 2017. In my first hearing as chair of the Subcommittee on Economic Opportunity, I heard with great concern, and even outrage, that some employees at the VA spend 100 percent of their time on union activity. Even physicians and nurses and folks who are hired to provide health care to our veterans, 100 percent of their time on union activity.

The law says their activity and time on union activities should be reasonable and in the best interest of the public. I don't believe in west Texas, or any area around the country, that it is reasonable and in the best interest of the public to spend 100 percent of your time on union activity and not fulfilling the mission. And, in this case, it is protecting and serving and caring for our vets.

## #RESISTREPEAL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, as we speak, 24 Members, Democrats, have been sitting with our Republican friends in Energy and Commerce for more than 24 hours, hunkered down on a bill that no one has seen, no one has read, or no one knows what it is about. Contrast that to the Affordable Care Act with over 79 hearings, over a 2-year period, hundreds and hundreds of hours of hearings, 181 witnesses from both sides of the aisle, ongoing interaction with the American people. And what did we get? Over 20 million people, lower costs in Medicare, Medicaid, and employer coverage.

What are we getting now in this document that is called a healthcare bill? Loss of coverage with 15 million Americans kicked off of health insurance, 73 million Americans may lose their health insurance, undermining employer-sponsored coverage that more than 177 million individuals would be jeopardized, no CBO assessment of what it is going to cost, how many jobs will be lost, and you will be paying more for your insurance and getting less. And the loved ones that you have in nursing homes that are dependent upon Medicaid, even though they worked, may be kicked out as we speak.

Go forward on the D.C. 24 #ResistRepeal.

## CONSERVATIVE PRINCIPLES COMPEL US TO FIX HEALTH CARE

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to remind us of the need to repeal ObamaCare. We have an opportunity to address the Affordable Care Act. It is real simple: by gutting it.

In northeast Georgia, I have heard again and again how my neighbors have suffered at the hands of ObamaCare. ObamaCare levied $1 trillion in new taxes, not including the de facto taxes that came to middle class Americans in the form of increased deductible and insurance premiums.

The laws that our friends across the aisle forced on the American people while they worked in the shadows have crippled our healthcare system. The Affordable Care Act is not affordable, and it is not acceptable. Not from my neighbors and not for your loved ones, Mr. Speaker.

Democrats created a brave new world in which coverage came with no promise of quality health care, in which insurance markets continue to crumble and families watch their healthcare resources slip way.

The only way forward is to say goodbye to ObamaCare, good-bye to personal and employer mandates. Goodbye to additional and frivolous taxes. Good-bye to unnecessary spending. Good-bye to heartbreaking healthcare outcomes. Good-bye, and good riddance.

## PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 180 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 180

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in

the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-5. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 180, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 720, the Lawsuit Abuse Reduction Act, and H.R. 985, the Fairness in Class Action Litigation Act.

The rule provides for 1 hour of debate for each bill, equally divided between the chairman and ranking member of the Judiciary Committee. The rule also provides for a motion to recommit for both pieces of underlying legislation.

Yesterday, the Rules Committee had the opportunity to hear from Judiciary Committee Chairman BOB GOODLATTE and Congressman STEVE COHEN on behalf of the Judiciary Committee, as well as Subcommittee on Regulatory Reform, Commercial and Antitrust Law Ranking Member HANK JOHNSON.

The Rules Committee made in order 12 amendments total—four amendments to H.R. 720 and eight amendments to H.R. 985, representing ideas from both sides of the aisle.

I want to thank Chairman GOODLATTE and the Judiciary Committee staff for their work on both pieces of legislation. I am a member of the Judiciary Committee, and we had the opportunity to consider both pieces of legislation and enjoyed lively discussion at the markup for both bills.

Mr. Speaker, as you are aware, we have worked tirelessly in this House to pass litigation reforms that would promote access to the courts for all Americans and ensure that the cost of litigation isn't used as a tool to force settlements.

We have also talked about how to restore reason and remove burdens on hardworking Americans. These bills help us achieve those goals.

Both bills have enjoyed thorough discussion at both the committee level and on the floor, both in this Congress and in previous Congresses.

H.R. 720, the Lawsuit Abuse Reduction Act, was introduced by my friend from Texas, Congressman LAMAR SMITH. Similar legislation to H.R. 720 has passed the House before, and I look forward to its consideration again.

This legislation provides a balanced solution to frivolous lawsuits, based on the simple principle that if an attorney files a baseless lawsuit that has no grounding in fact or law, the attorney should have to compensate the victim of their legal action.

This legislation does not change the standard for rule 11 sanctions; it simply gives this important rule some teeth by making sanctions mandatory instead of discretionary.

Opponents will argue that this bill will stifle robust examinations of existing law by discouraging otherwise meritorious lawsuits.

To be certain, LARA does not change in any way the existing standards for determining what is and what is not a frivolous lawsuit, as determined under rule 11. In fact, LARA expressly provides that ''nothing in'' the changes made to rule 11 ''shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.''

H.R. 985, the Fairness in Class Action Litigation Act, was introduced by Chairman GOODLATTE. This legislation now also includes the Furthering Asbestos Claims Transparency, or FACT, Act, authored by Congressman FARENTHOLD from Texas.

H.R. 985 provides a targeted solution to a unique problem. At its core, the bill addresses whether the injury suffered by named plaintiffs in a class action suit accurately reflects injuries suffered by the class.

Let me be clear, again, this bill does not kill the class action. Opponents would have you believe that it does, but these claims have become a knee-jerk reaction to attempts to address clear abuses in the legal system.

We want to make the system work for victims of these abuses and of other injustices. We want to make it more difficult for anyone to take advantage of the courts and make legal recourse more accessible for those who genuinely deserve relief.

As a case in point, when Congress passed the Class Action Fairness Act, CAFA, in 2005, opponents claimed that its passage would mean the end of class action suits. Actually, it had two targeted goals: to reduce abusive forum-shopping by plaintiffs and, in certain circumstances, to require greater Federal scrutiny procedures throughout the review of class action settlements.

For example, you may remember an infamous Alabama class action involving Bank of Boston in which the attorneys' fees exceeded the relief to the class members. As a result, class members lost money paying attorneys for their legal victory.

Twelve years ago, opponents of CAFA made virtually identical arguments against that reform that they are making against H.R. 985 today. These objections are unsupported by history.

In fact, researchers at the Federal Judicial Center conducted a study on the impact of CAFA and concluded that—postenactment—there was an increase in the number of class actions filed in or removed to the Federal courts based on diversity jurisdiction, consistent with the congressional intent behind that law.

We see that necessary reforms have resulted in a class action option that is alive and well, representing an important part of our legal system. And it

will remain that way. Claims to the contrary, Mr. Speaker, are just simply inaccurate.

H.R. 985 is a targeted solution that says a Federal court may not certify a proposed class unless the party seeking the class action demonstrates through admissible evidentiary proof that each proposed class member suffered an injury of the same type and extent as the injury of the named class representative or representatives.

This requirement also exists in rule 23 of the Federal Rules of Civil Procedure. Unfortunately, not all courts appropriately interpret or apply these standards.

□ 1245

To claim that this bill, which codifies existing standards, would kill class action suits is just simply not supported by facts.

Class actions exist for a reason, a reason vindicated both by compassion and by wisdom. The class action option exists to allow a group of individuals who have been similarly harmed to join together to seek appropriate compensation for their injuries.

In today's world, we see abuse after abuse of that legitimate purpose. As a result, we have seen the rise of a class of people who may bear legitimate injuries, but we also see countless others who have suffered no injury at all yet are vying for class action spoils to which they have no right. The no-injury class actions are designed to exploit companies to achieve a quick payday through accusations that are not grounded in genuine injuries.

Class actions should be preserved as a tool for those who are harmed to plead their case and receive just compensation. H.R. 985 will allow courts to focus their resources on cases in which the people have actually suffered injuries. This helps ensure that we hold responsible parties accountable for their actions.

As I mentioned, H.R. 985 also includes the Furthering Asbestos Claims Transparency, or FACT, Act. The FACT Act is designed to reduce fraud and compensation claims for asbestos-related diseases. This is a critical step to preserving resources for true victims because, unfortunately, double-dipping has become too common in asbestos claims.

For every dollar awarded to fraudulent claims, there is $1 less available to true victims who are facing mesothelioma or other asbestos-related illnesses. These victims are often those to whom our country owes its greatest debt: our veterans. Veterans currently comprise 9 percent of the population, yet they make up approximately 30 percent of the asbestos victims. Veterans are uniquely positioned to benefit from the increased transparency that this bill offers.

Despite the positive impact that increased transparency can have for veterans, detractors claim that the legislation will negatively impact the privacy rights of claimants. Allow me to be clear, Mr. Speaker: this is not true. The bill actually requires far less personal information from claimants than State courts currently require in their disclosure documents.

This legislation will reduce fraud in the asbestos trust system to safeguard assets in order to compensate future asbestos victims, veterans or otherwise.

Mr. Speaker, H.R. 985 and H.R. 720 will establish meaningful reforms to our litigation system. I believe the United States is the greatest country in the world, and our justice system is designed to be free and fair, yet we have seen our justice system abused by people who seek ill gain at the expense of actual victims. These bills that today's rule provides for help us to right that wrong. They may not be perfect, but they recognize existing flaws in the system and strive to fix those flaws to better serve the American public.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague and friend from Georgia for yielding time to me.

Mr. Speaker, with this package of bills, the majority is taking a sledgehammer to civil litigation. I know that my colleague and I are not going to agree with that because I listened intently to what he had to say. But it is closing courthouse doors to ordinary people who are injured in the workplace and makes it harder for working people wronged by the rich and powerful to seek justice.

First, H.R. 985 is really a solution in search of a problem. It uses the false notion of rampant fraud in the legal system to shield corporate wrongdoers and deny their victims relief.

Second, H.R. 906 has the potential to further victimize asbestos victims.

Third, H.R. 720 would roll back significant improvements to the Rules of Civil Procedure and repeat a failed experiment that led to a decade of problems in the courts. By requiring mandatory sanctions that tie judges' hands, we saw an avalanche of unnecessary litigation.

The majority is wasting time and taxpayer money to make changes that evidence and the experts tell us are not necessary and could actually cause more harm than good. It doesn't make sense.

But consider, Mr. Speaker, how the majority conducted itself on health care for a decade now. Almost immediately after President Obama signed the Affordable Care Act into law, 13 Republican State attorneys general filed a Federal lawsuit opposing health reform. That was back in 2010. Since that time, the majority has voted over and over again—more than 60 times—to undermine the ACA.

CBS News has highlighted that it costs the taxpayers an estimated $24 million a week to run the House of Representatives. Think how many millions of dollars of legislative time the majority wasted on these votes that never had any chance of becoming law under the previous President. They wasted taxpayers' dollars and they wasted precious time. The majority spoke again and again about repeal and replace, and all the while, they didn't have a thing in the world to replace the health care with.

Former Speaker John Boehner recently made that clear, and it wasn't until this week that the majority finally let Members of Congress and the American people see their latest effort—and it would be a catastrophe for families across the country. More and more groups and individuals are lining up against it.

People would be forced to pay more for worse coverage if they could afford any coverage at all. The bill would also defund Planned Parenthood, which more than 2.5 million people, men and women, rely on for lifesaving preventive care, like cancer screenings and STI testing, every single year.

It is truly astonishing that the majority is trying to rush through this bill without a Congressional Budget Office estimate about how much it would cost or what impact it would have on the insurance market.

Let me quote from a Washington Post story this morning written by the great Karen Tumulty:

> While it is not uncommon for panels to consider legislation without the Congressional Budget Office first weighing in, veterans of the process say that doing so on bills as far-reaching as the healthcare overhaul is rare and ill-advised.

We don't have any idea how many people would gain or lose coverage without the CBO estimate, but we do know that this bill would take us back to the days before the Affordable Care Act when American people were on their own to try and get health care without any real safeguards in place at all; when families were liable to go bankrupt from heavy healthcare costs in a year's time, and the ACA protects them from that by saying that once an insured person has spent $4,500 a year on health care, the insurance company will pay the rest, and for a family, $12,500 to insure them. That is something so rarely talked about that is in this bill that I think is of vast importance, and we would lose that.

Billionaires would get a tax break, but working families probably couldn't afford health care.

We are rushing through this healthcare bill without a proper understanding of its cost or its impacts. The majority completely skipped the hearing process and, therefore, hasn't heard from experts or doctors or people battling an illness—except, I guess, what is going on torturing people over in the Energy and Commerce Committee where they have been there since, what, over 24 hours now.

So we were encouraged yesterday when we learned at the Rules Committee that White House Secretary

Sean Spicer had said at a briefing yesterday:

Every Member of the House and the Senate will be able to have their opportunity to have amendments offered through the committee process and on the floor.

It looks like we are not going to have that opportunity. And I do not have enthusiasm for the notion that we will have an open rule since, under this Speaker we have not had any, and the Democrats long to be able to offer some amendments to this bill. I certainly hope that that might be the case.

Now, the only way that happens is through the open rule. As I said, we haven't seen one of those in Speaker RYAN's leadership. I hope the majority follows through with the White House's promise of an open rule because, more than anything on this, the American people deserve an open and transparent process as this bill moves forward.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Sometimes it is often said that we discuss the issues that come to the floor, and there are real debates taking place across the street right now dealing with our discussions around health care. But I want to go back to actually the bills that we are dealing with in the rule and discuss the part of where do sometimes these issues come from, especially when we are discussing things like H.R. 985 and class act litigation.

This came, actually, from outside the walls here and outside into the real world where this is being practiced. One of the things that is happening is that Federal judges have been looking to Congress to reform the class action system which currently allows lawyers to fill classes with hundreds of thousands of unmeritorious claims and use the artificially inflated classes to force defendants to settle the case.

As the Supreme Court has recognized, ''even a small chance of a devastating loss'' inherent in most decisions to certify a class produces an ''in terrorem'' interim effect that often forces settlement independent of merits of the case.

Mr. Speaker, I understand that fear because what we are dealing with many times in these class actions—and I know the Speaker and others are aware—is the definition of the class that really depends on the case itself, not as much of the merits of the case because of the potential of a devastating loss. So the actual class certification becomes something that is the main driver in these cases.

Notice what Ruth Bader Ginsberg said about this. She recognized this when she said: ''A court's decision to certify a class . . . places pressure on the defendant to settle even unmeritorious claims.'' That is pretty powerful from a Supreme Court Justice talking about these issues.

Judge Diane Wood of the Seventh Circuit Court of appeals, appointed by President Clinton back in the day, has explained that class certification ''is, in effect, the whole case.''

Then-Chief Judge of the Seventh Circuit Richard Posner explained that certification of a class action, even one lacking merit, forces defendants ''to stake their companies on the outcome of a single jury trial, or be forced by fear of the risk of bankruptcy to settle even if they have no legal liability.''

Mr. Speaker, listen to what these judges are saying. They are saying, number one, that the class certification is the most important thing because it depends on the outcomes and forces settlements. Notice what was said here by Supreme Court Justice Ginsberg, ''unmeritorious claims.'' Judge Diane Wood, Seventh Circuit, talked about it being ''the whole case.'' Judge Posner says that, in actuality, they are forced to settle ''even if they have no legal liability.''

In another Seventh Circuit Court decision, the court wrote: ''One possible solution to this problem is requiring judges to do some threshold level of review of the merits of a class action before allowing certification, that is, approval of a class . . . It is cases like the one before us that demonstrate precisely why the courts, and Congress, ought to be on the lookout for ways to correct class action abuses. Given the complexity of our legal system, it is impossible to develop perfect standards for identifying and quickly disposing of frivolous claims. Inevitably this court and other courts will be faced with the cases that waste the time and money of everybody. Beyond addressing the legal claims before us as we would in any ordinary case, we must frankly identify situations where we suspect the lawyers, rather than the claimants, are the only potential beneficiaries.''

Again, not coming in a vacuum, it is coming from the courts who see this on a regular basis, from Judge Ginsberg on down, saying: This is the whole deal. This is why we do these things.

Mr. Speaker, this is something that does need to be taken up. It is something that we are proud to bring to the floor. In doing so, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule that would require a CBO cost estimate to be made publicly available for any legislation that amends or repeals the Affordable Care Act which may be considered in the Energy and Commerce or Ways and Means Committees or on the House floor.

The Committees on Ways and Means and Energy and Commerce are marking up repeal legislation today. Legislation this significant should not advance through the committee process, let alone the House, without first hearing from our nonpartisan budget experts at CBO on what the cost and overall impact would be.

Mr. Speaker, one of the most enduring symbols of fairness is Lady Justice, who is depicted holding the Scales of Justice that represent fairness in our courts. That central idea is embodied in the fact that justice in the United States of America is supposed to be delivered fairly, without any bias toward wealth or privilege.

It is no secret that sometimes we do struggle to live up to that ideal. We have seen evidence of that far too often recently. But, Mr. Speaker, this Chamber shouldn't be actively working to tilt those scales toward the rich and the powerful, but that is what this legislation would do. Considering these bills wastes their money and fritters away the time we should be spending addressing our crumbling infrastructure and the skyrocketing cost of education.

And, Mr. Speaker, today we got from the American Society of Civil Engineers the new grades on our infrastructure. This year we get a D minus, and we should certainly do better than that.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time.

□ 1300

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think what we are hearing today—and I think what we are going through in the process—is issues of real change, issues of discussions that have been going on in our country for really now almost 8 years. It has been 7 years since the Affordable Care Act, ObamaCare, was passed.

We are seeing the changes that have taken place, Mr. Speaker, from your time here and my time here on really dealing with the American people and dealing with the substances of what their concerns and fears are. The things that I have come before this body and debated many times were what does the view look like from outside of this Chamber.

Inside this Chamber, we have raucous debates. We have discussions on things. And at the end of the day, I believe sometimes, Mr. Speaker, those sitting at home say: Does anybody listen to me? Does anybody hear my call?

Over the past few years, we have seen through election results and we have seen through times of change here in this body that the Affordable Care Act is nothing like affordable. In fact, as many have described it, it has been in a death spiral. We are beginning to work on that.

Now, I understand how that can make the other side, the ones who gave us the Affordable Care Act, ObamaCare, not want to see that changed. I can appreciate that.

Reality must set in at some point, and reality says that to defend something that is failing is asking for a status quo that hurts people. Now, I believe my friends across the aisle don't want to do that, but that is what they are doing, holding onto a legacy that is only a legacy for many of heartbreak and problems.

Did it help in some ways? Are we finding some? Did we address issues over the past few years and begin the discussion of preexisting conditions, keeping our children on until 26, and removing caps? Those were all discussed and could have been handled in many different ways besides the government takeover of health care.

Instead, we chose to use an ideological position to begin the process of moving forward, and moving forward in which government will put its fingers on the scale and government will begin to say what is right and what is wrong. What we found in the whole process was our individual mark is destroyed.

I have had some of my colleagues actually say: Let's just start over and go back to the way it was. That would be nice, except that land doesn't exist anymore.

Even if you wanted to—and I don't think we need to—we need to move forward with free-market solutions that put access to affordable health care for all Americans on the table, so that we can actually bend the cost curve so that we can actually work to help people. That is what we are working on. We are going to continue to work on making a smooth transition from the disaster that many of us have seen over the past few years. When we do that, change will come, and change is hard.

My folks back home are looking for change that helps, by Brittany Ivey, who joined me here for the joint session just a few weeks ago, who had employer-based health coverage with her family taken. She had to make choices about healthcare coverage and staying home. These choices make families' decisions harder because they would rather make the decision to stay with family, but are having to work because health care became unaffordable. It is these kind of choices that we are laying out for the American people to listen and to say: What do we need to do and how do we need to go forward?

So when we look ahead, we take issues of health care seriously. The gentlewoman from New York (Ms. SLAUGHTER) is a friend. She states her position eloquently. It is always good to be on the floor with her. We disagree, and this is the place for this disagreement. This is a time in which we share; this is a time in which we come together. And what the Republican majority will do, Mr. Speaker, is keep its promises.

Now, I have had a moment of sharing what we are doing in health care, but also let's get back to why we are here, for the rule. The rule deals with abuses in the system; it deals with fairness.

Mr. Speaker, today we are discussing reforms to our litigation system that increase fairness, balance, and transparency. These principles are part of our larger goals as House Republicans to create a system that works better for the American people and restores accountability to the system.

We agree that there are legitimate lawsuits and legitimate class action suits. No one is arguing against that. In fact, I firmly believe that Americans should have access to a robust legal system that protects them.

We encounter a problem, however, when frivolous lawsuits are lobbed against small businesses and employers in attempts to profit without warrant and at the expense of jobs.

The bills provided for by the underlying rule help us address this challenge and to ensure that the litigation system functions as intended, rather than being manipulated to improperly target individuals or entities for profit.

The rule itself provides for robust debate on the legislation and amendments from both sides of the aisle.

I would encourage my colleagues to look favorably on these bills as a step toward reining in unnecessary and burdensome litigation and making the legal system work better to address true grievances and harms.

Mr. Speaker, that last statement probably sums up what we need to be about here. Let's look at the truth. Let's help people. Let's remember why we are here and, that is, those who sent us.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 180 OFFERED BY MS. SLAUGHTER

At the end of the resolution, add the following new section:

SEC. 3. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111–148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111–152), or part thereof, in the House, in the Committee of the Whole House on the state of the Union, or in the Committees on Energy and Commerce and Ways and Means, unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a rule or order that waives the application of paragraph (a).

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1416

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALLEN) at 2 o'clock and 16 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 180; and

Adopting House Resolution 180, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

## PROVIDING FOR CONSIDERATION OF H.R. 720, LAWSUIT ABUSE REDUCTION ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 985, FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 180) providing for consideration of the bill (H.R. 720) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and providing for consideration of the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 10, as follows:

[Roll No. 138]

YEAS—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—186

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Davis (CA)
Frankel (FL)
Gosar
Jordan
Larson (CT)
Lofgren
Meadows
Rush
Sinema
Titus

□ 1442

Mr. ESPAILLAT, Ms. CLARK of Massachusetts, and Mr. CARSON of Indiana changed their vote from ''yea'' to ''nay.''

Mrs. HARTZLER changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 184, not voting 12, as follows:

[Roll No. 139]

YEAS—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso

Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Boyle, Brendan F.
Conyers
Davis (CA)
Frankel (FL)
Gosar
Jordan
Larson (CT)
Lofgren
Meadows
Rush
Sinema
Titus

□ 1451

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, on Thursday, March 9th, 2017, I was not present for roll call votes 138 and 139. If I had been present for this vote, I would have voted: "Nay" on roll call vote 138, "Nay" on roll call vote 139.

PERSONAL EXPLANATION

Ms. FRANKEL of Florida. Mr. Speaker, on roll call votes 138 and 139, I was not present because I was unavoidably detained. Had I been present, I would have voted "Nay" on both votes.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 57. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

## INNOCENT PARTY PROTECTION ACT

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 725.

The SPEAKER pro tempore (Mr. EMMER). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 175 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 725.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1455

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. JODY B. HICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, hardworking Americans are some of the leading victims of frivolous lawsuits and the extraordinary costs that our legal system imposes.

Every day, local businessowners routinely have lawsuits filed against them based on claims that have no substantive connection to them as a means of forum shopping on the part of the lawyers filing the case. These lawsuits present a tremendous burden on small businesses and their employees.

The Innocent Party Protection Act, introduced by Judiciary Committee member Mr. BUCK of Colorado, will help reduce the litigation abuse that regularly drags small businesses into court for no other reason than as part of a lawyer's forum shopping strategy.

In order to avoid the jurisdiction of the Federal courts, plaintiffs' attorneys regularly join instate defendants to the lawsuits they file in State court even if the instate defendants' connections to the controversy are minimal or nonexistent.

Typically the innocent but fraudulently joined instate defendant is a small business or the owner or employee of a small business. Even though these innocent instate defendants ultimately don't face any liability as a result of being named as a defendant, they, nevertheless, have to spend money to hire a lawyer and take valuable time away from running their businesses or spending time with their families to deal with matters related to a lawsuit to which they have no real connection.

To take just a few examples, in Bendy v. C.B. Fleet Company, the plaintiff brought a product liability claim against a national company for its allegedly defective medicinal drink. The plaintiff also joined a resident local defendant health clinic alleging it negligently instructed the plaintiff to ingest the drink.

The national company removed the case to Federal court and argued that

the small, local defendant was fraudulently joined because the plaintiff's claims against the clinic were time barred by the statute of limitations, showing no possibility of recovery.

Despite finding the possibility of relief against the local defendant ''remote,'' the court remanded the case after emphasizing the draconian burden on the national company to show fraudulent joinder under the current rules.

The court practically apologized publicly to the joined party stating: ''The fact that Maryland courts are likely to dismiss Bendy's claims against the local defendant is not sufficient for jurisdiction, given the Fourth Circuit's strict standard for fraudulent joinder.''

Shortly after remand, all claims against the local defendant were dismissed, of course, after its presence in the lawsuit served the trial lawyers' tactical purpose of forum shopping. When courts themselves complain about the unfairness of current court rules, Congress should take notice.

In Baumeister v. Home Depot, Home Depot removed a slip-and-fall case to Federal court. The day after removal and before conducting any discovery, the plaintiff amended the complaint to name a local business, which it alleged failed to maintain the store's parking lot.

The court found the timing of the amended complaint was ''suspect,'' noting the possibility that the sole reason for amending the complaint to add the local defendant as a defendant could have been to defeat diversity jurisdiction.

□ 1500

Nevertheless, the court held Home Depot had not met its ''heavy burden'' of showing fraudulent joinder under current law because the court found it was possible, even if it were just a tenth of a percent possible, that the newly added defendant could potentially be held liable and remanded the case back to State court. Once back in State court, the plaintiff stipulated to dismiss the innocent local defendant from the lawsuit, but only after it had been used successfully as a forum-shopping pawn.

Trial lawyers join these unconnected instate defendants to their lawsuits because today a case can be kept in State court by simply joining as a defendant a local party that shares the same local residence as the person bringing the lawsuit. When the primary defendant moves to remove the case to Federal court, the addition of that local defendant will generally defeat removal under a variety of approaches judges currently take to determine whether the joined defendant prevents removal to Federal court.

One approach judges take is to require a showing that there is ''no possibility of recovery'' against the local defendant before a case can be removed to Federal court or some practically equivalent standard. Others require the judge to resolve any doubts regarding removal in favor of the person bringing the lawsuit. Still others require the judge to find that the local defendant was added in bad faith before they allow the case to be removed to Federal court.

The current law is so unfairly heavy-handed against innocent local parties joined to lawsuits that Federal Appeals Court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals has publicly supported congressional action to change the standards for joinder, saying: ''That's exactly the kind of approach to Federal jurisdiction reform I like because it's targeted. And there is a problem with fraudulent jurisdiction law as it exists today, I think, and that is that you have to establish that the joinder of a nondiverse defendant is totally ridiculous and that there is no possibility of ever recovering . . . that's very hard to do,'' he says. ''So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses real problems.''

The bill before us today addresses those real problems in two main ways:

First, the bill allows judges greater discretion to free an innocent local party from a case where the judge finds there is no plausible case against that party. That plausibility standard is the same standard the Supreme Court has said should be used to dismiss pleadings for failing to state a valid legal claim, and the same standard should apply to release innocent parties from lawsuits.

Second, the bill allows judges to look at evidence that the trial lawyers aren't acting in good faith in adding local defendants. This is a standard some lower courts already use to determine whether a trial lawyer really intends to pursue claims against the local defendant or is just using them as part of their forum-shopping strategy.

This bill is strongly supported by the National Federation of Independent Business and the U.S. Chamber of Commerce, among other legal reform advocates. Please join me in supporting this vital legislation to reduce litigation abuse and forum shopping and to protect innocent parties from costly, extended, and unnecessary litigation.

I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, we have seen a number of bills this session which are designed to shut the door on victims of corporate misfeasance and negligence and to nail the door shut. H.R. 725 is part of this wave of legislation.

Like most other bills we have seen this session with brazenly Orwellian titles, the so-called Innocent Party Protection Act of 2017 has nothing to do with protecting innocent parties. Rather, it is just the latest attempt to tilt the civil justice system dramatically in favor of big corporate defendants by making it much more difficult for plaintiffs to pursue State law claims in State courts under the system of federalism designed by our Founders.

Again, this is a familiar experience because the bill addresses a completely nonexistent problem. If there had been a real problem, the Judiciary Committee might have held a hearing in which we could have invited groups to come forward who support tort victims. They could have come and testified about why it was so important for the interests of civil justice for us to pass this legislation.

But there was no hearing at all. We didn't hear any witnesses, much less the testimony of those groups that represent victims of mass toxic torts, asbestos poisoning, lead poisoning, sex discrimination lawsuits—none of it.

In fact, the groups that we would have called, if we were interested in the testimony of victims and people seeking civil justice, oppose this legislation overwhelmingly: the Alliance for Justice opposes it; the Center for Justice and Democracy opposes it; the Consumer Federation of America opposes it; the National Association of Consumer Advocates opposes it; the National Consumer Law Center opposes it; the Natural Resources Defense Council opposes it; Public Citizen opposes it; the Sierra Club opposes it.

Under current law, a defendant may remove a case, alleging State law claims, to a Federal court only if there is complete diversity of citizenship between all plaintiffs and all defendants. If the plaintiff adds an instate defendant to the case solely for the purpose of defeating jurisdiction, this constitutes fraudulent joinder today; and in such circumstances, the case may be removed directly to Federal court.

In determining whether a joinder was fraudulent, the court considers only whether there was any basis for a claim against the nondiverse defendant. The defendant must show that there was no possibility of recovery or no reasonable basis for adding the nondiverse defendant to the suit.

This very high standard has guided our Federal courts for more than a century and it has functioned well, and the bill's proponents offer no objective evidence to the contrary. And again, we have had no hearing. For a new Member of Congress like me, who comes from the Maryland State Senate, I am absolutely astonished and amazed that we would think of overturning a standard fixture in our civil justice system without so much as a hearing as to what the problem is.

H.R. 725 would replace a time-honored standard with an ambiguous one that would dramatically increase the costs and burdens of litigation on plaintiffs in Federal courts. It would try to strip our State courts of their basic powers to hear cases relating to their citizens. This is an assault on federalism.

The measure would require a court to deny a motion remanding to the State

courts unless the court finds, one, that it is ''plausible to conclude that applicable State law would impose liability'' on an instate defendant; two, that the plaintiff had a ''good faith intention to prosecute the action against each'' instate defendant or to seek a joint judgment; and three, that there was no ''actual fraud in the pleading of jurisdictional facts.''

This gauntlet of hurdles suddenly shifts the burden and creates a presumption that a Federal court should hear the case, making it far more expensive and difficult for plaintiffs to have their cases heard in State court.

H.R. 725 would effectively overturn the local defendant exception, which prohibits removal to Federal court even if complete diversity of citizenship exists when the defendant is a citizen of the State where the suit was filed.

The bill's radical changes to longstanding jurisdictional practice reveal the authentic purpose behind the measure. It is simply intended to stifle the ability of plaintiffs to have their choice of forum and, possibly, even their day in court.

In addition, H.R. 725 would sharply increase the cost of litigation for plaintiffs and further burden the Federal court system. For example, the meanings of terms like ''plausible'' and ''good faith intention'' are ambiguous and will spawn substantial litigation over their proper interpretation and application, further postponing decisions and justice.

Additionally, these standards would require a court to engage in a minitrial during the early procedural stages of the case without any opportunity for the full development of evidence. Again, this would sharply increase the burdens and costs of litigation for ordinary citizens, for plaintiffs, which appears to be, to my mind, the only possible contemplated result of this legislation.

Finally, we need to focus on the fact that this bill offered by the majority raises profound federalism concerns, which I would have hoped they would be attentive to. Matters of State law should be decided by State courts, subject to certain exceptions as set forth in the Constitution.

It was our constitutional design that matters of civil dispute and conflict go to State courts, State judges, and State juries, all of them closer to the people themselves, unless you have a Federal question, a matter of Federal statutory law, a matter of Federal constitutional law, or you have got diversity jurisdiction.

H.R. 725 bulldozes this key federalism constraint and casts a shadow, unnecessarily and improperly, over State courts, the courts of the people. By applying sweeping and vaguely worded new standards to the determination of when a State case must be remanded to State court, the bill denies State courts the ability to decide and, ultimately, to shape the unfolding of State law. This is completely contrary to the design of the Founders, many of them Virginians, like Thomas Jefferson and James Madison and George Mason, who wanted the State courts to be the central arena for the resolution of civil conflicts and tort disputes.

Simply put, H.R. 725 tramples State sovereignty and our basic constitutional structure. For these reasons and for the fact that nobody has demonstrated there is a real problem, I urge the House to resist this unnecessary and flawed legislation, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Since this bill was marked up in the last Congress, the very same plausibility standard used in this bill was adopted by the Federal Circuit Court of Appeals in which fraudulent joinder cases arise with the greatest frequency.

Last Congress, Ranking Member CONYERS said of the bill, it should simply pick one of the existing articulations in the fraudulent joinder standard and codify that into law. At the time, the plausibility approach was applied by some district courts, but just last year, the Fifth Circuit Court of Appeals adopted the same plausibility standard this bill contains in a case called International Energy.

The Fifth Circuit stated: We must consider whether the plaintiff pleaded ''enough facts to state a claim to relieve that is plausible on its face.'' The plaintiff in that case petitioned for rehearing en banc, but the rehearing was denied, with not a single judge on the Fifth Circuit requesting a vote.

In just the last year, district courts in the Fifth Circuit have issued more than 40 fraudulent joinder decisions without much difficulty and with the results that indicate just the sort of reasonable reform that would occur nationwide when we get this bill passed into law.

So this is about making the system work and opening the door to the Federal courts so companies from foreign states are not unfairly, potentially disadvantaged.

The other piece of this that is easy to neglect is the local defendant. I don't know if the gentleman across the aisle has ever been sued. I have friends who have been sued. It is an emotionally and financially devastating procedure. You have got to take time off from your life and business to defend it. You have got to hire a lawyer, which is incredibly expensive. This is to protect the innocent third parties and open the doors to the Federal courts and just make it fairer and easier.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

I very much appreciate my colleague's remarks there. I want to make one point before I yield to my distinguished colleague from New York.

Mr. Chairman, my colleague asked us to reckon with the fact that it is emotionally devastating for people to be sued, and, undoubtedly, it is in certain cases. But compare whatever it might feel like to be sued in whatever case he might have in mind with the outrageous emotional devastation caused by asbestos poisoning, by lead poisoning, by mass sexual harassment, sex discrimination, race discrimination, all of the torts that come to dominate what takes place in our courts. So if we are going to have a new emotional devastation standard, I would put the plaintiffs up against the large corporate defendants any day.

Mr. Chairman, I yield 3 minutes to my distinguished colleague from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to H.R. 725, the misnamed Innocent Party Protection Act. The main purpose of this bill is to make it easier to remove State cases to Federal courts, where large corporate defendants have numerous advantages over consumers and injured workers.

□ 1515

Let's not talk about the emotional devastation. We are talking about large, corporate defendants. We are not worried about their emotions. Their litigation departments are quite capable of handling the emotions.

This bill will clog the Federal courts, drain judicial resources, upset well-established law, and delay justice for plaintiffs seeking to hold businesses accountable for the injuries they cause. It is yet another attempt by the Republican majority to stack the deck in favor of large corporations.

This bill is the opening salvo of this week's series of bills by the Republicans to close off access to the courts to ordinary Americans. With every step they take, whether it be to remove more State cases to Federal courts, to make class action suits more difficult to bring, or to reclassify more lawsuits as frivolous and subject to mandatory sanctions, they are limiting access to court help for ordinary Americans.

The so-called Innocent Party Protection Act would upend the century-old doctrine of fraudulent joinder, in which a defendant from the same State as the plaintiff is improperly added to a case in order to defeat diversity jurisdiction in Federal court, and, therefore, keep the case in a State court. Under current law, a defendant claiming fraudulent rejoinder has the burden of showing that there is ''no reasonable basis'' for a claim against the instate defendant, and, therefore, the case should remain in Federal court.

This bill would turn that process on its head by placing the burden on the plaintiff to show that there is a ''plausible'' claim against the instate defendant and that the plaintiff has a ''good faith intention'' to pursue a claim against that defendant. Both standards are undefined in the bill, but it is likely that many plaintiffs would find these hurdles impossible to overcome at the initial stages of litigation before discovery.

Furthermore, defendants will use this forum shopping bill to delay justice by routinely challenging jurisdiction. It will drain court time and allow corporate defendants to force plaintiffs to expend their limited resources on what should be a simple procedural matter. Under this bill, the preliminary determination of jurisdiction would become a baseless, time-consuming mini-trial before a second time-consuming trial on the merits. While large corporations could easily accommodate such costs, injured workers, consumers, and patients cannot.

The practical effect of this bill is to force cases based on State law, which should properly be heard in State courts, to be considered in our overburdened Federal courts instead. Large corporations generally believe that Federal courts are a friendlier forum, especially since they are overburdened and they can afford to wait whereas the plaintiffs cannot, and they believe that they have a better chance of escaping liability for their actions in the Federal court.

There is no evidence of a systemic crisis of fraudulent joinder, nor is there evidence that the courts cannot properly handle whatever issues may arise under current law. There is certainly no evidence that what wealthy corporations need are greater advantages in the courts. Yet, this bill hands them yet another gift from the Republican majority, and it is ordinary consumers and injured workers who will suffer.

Mr. Chairman, I urge a ''no'' vote on this legislation.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill is not about protecting big corporations. This bill is about protecting the small-business owner or the employee who is fraudulently joined into a case who has to go out and hire his or her own lawyer.

I remember something my law school professor once told me back in the day at St. Mary's University School of Law in San Antonio, Texas, and it stuck in my mind ever since: When you get sued, you may be able to beat the rap, but you can't beat the ride.

It is expensive, it is emotionally draining, and it is time consuming.

I have no problem at all, and this bill is not designed to protect corporations. It is designed to protect, just as its name states, innocent parties. These are people who are joined solely to defeat diversity jurisdiction. We are just changing the standard slightly to one adopted by the Fifth Circuit Court of Appeals to make it much more fair to these innocent parties.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the gentleman from Maryland for yielding me the time.

Mr. Chairman, I rise in opposition to H.R. 725, the so-called Innocent Party Protection Act of 2017. This cynically misnamed bill is a Republican Party effort to coddle and protect their corporate wrongdoing supporters by making it harder for injured victims to sue the corporation in State court. A more accurate name for the Innocent Party Protection Act actually would be the Corporate Wrongdoer Protection Act.

Make no mistake about it, Mr. Chairman, this bill is my Republican friends' attempt to—it is clear whom they are working for. They refer to corporate wrongdoers as innocent parties. If some day you or your loved one are injured or harmed due to the negligence or intentional act of others, you have the option to sue in State or Federal court based on the residence of the wrongdoers. However, if your case should be removed to Federal court upon a motion by one of the defendants, as a plaintiff, there are grounds upon which you could have the case remanded back to the State court.

Republicans want to call this fraudulent joinder. However, a decision to sue all of the wrongdoers in your State court is not fraud. Instead, it is a legal practice dating back over 100 years which provides balance and prevents more powerful interests from choosing which court the case can be heard. They want to stack the deck.

For example, if it was your grandmother who was physically neglected or sexually assaulted at a nursing home, you would not only seek criminal charges against the wrongdoer, but you would want to file a lawsuit against both the individual attacker and the company that negligently hired, trained, or failed to adequately supervise the perpetrator under their employ.

By the way, it is becoming increasingly common for nursing homes to be owned by large conglomerates or out-of-State hedge funds. Under current law, you have the right to sue in State court, but rather than going all the way to Federal court in the State the corporation is based, you have the option to stay near your home in State court. H.R. 725 would do away with that option by giving the corporate wrongdoer the ability to keep the case in Federal court, thus unfairly increasing the burden on innocent victims and making it less likely for the smaller party to sue in the first place.

Mr. Chairman, I ask my colleagues to oppose this bill.

Mr. FARENTHOLD. Mr. Chairman, in the gentleman from Georgia's example, this bill wouldn't apply at all. If my grandmother were assaulted in a nursing home, I would certainly sue the nursing home company. I would also join the person who actually did it who most likely definitely will be a resident of the State that the lawsuit was going in. There would clearly be a plausible cause of action against that tortfeasor.

Mr. Chairman, I didn't practice personal injury law. I was an agriculture lawyer. But this would be an easy case for me to prove in his example. We are not trying to protect anybody who has done something wrong. We are trying to protect people who are joined into a lawsuit solely for the purpose of forum shopping.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think that we are actually progressing in our discussion of the issue because we presently have a law against fraudulent joinder. They simply want to make it far more difficult for plaintiffs to get justice in State courts. The law already makes it impossible to fraudulently join someone.

So in the case offered by the distinguished gentleman from Georgia, I could very much see an out-of-State corporate behemoth that owns nursing homes across the country saying that all of this should be in Federal court because the person who actually committed the sexual assault instate is judgment-proof because they don't have any money and that is not really a plausible opportunity to recover, and, therefore, it should stay in Federal court.

The grand irony here, Mr. Chairman, is that the party which sings lullabies about federalism and states' rights is in the business of stripping our State courts and our people of the opportunity to get into State court. All of this is about forcing everybody into Federal court. I remember a President who recently said in his inaugural address that the whole sum and substance of his administration is to give power back to the States and back to the people, but this legislation is designed to wreck federalism and to force everybody into Federal court where the big corporate defendants and the fancy lawyers have every conceivable advantage over people who are just trying to get justice when they have been injured in their State.

Mr. Chairman, the substantive issues at stake here are obviously complex, and I would invite all Americans to try to research what is going on. But if you don't have the time to actually study the more than a century in which we have had current fraudulent joinder rules and you don't have time to go and examine the bill as submitted by the majority, then just consider the procedure that has gotten us to this point.

There has been no hearing on this bill, there has been no call for this bill by anybody who has been injured in a civil tort case, and all of the groups that try to stand up for citizens against the largest corporations who are bankrolled by billions of dollars and are trying to force everybody these days into arbitration and to shut the courthouse door, all of those groups are opposed to the legislation because they understand what it is going to do.

It is going to make it far more difficult for people to prosecute civil

claims when they have been injured in something like a sexual harassment case, a sexual violence case, a discrimination case, an asbestos poisoning case, or a mass toxic tort. It is going to be far more difficult for people to get justice in their State courts.

Apparently, the interests of the large corporate polluters and inflictors of injuries—tortfeasors—are so important that we are willing to trample the basic principles of our constitutional design which is that these kinds of cases go into State court for State resolution, we reserve the Federal courts for complicated questions of Federal law and real cases of diversity jurisdiction, not phony cases of diversity jurisdiction where they try to eliminate the instate defendant, but real cases of diversity jurisdiction where nobody else is involved.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this really is about trying to stop bringing phony cases in. You are bringing phony defendants in, and that is what we are trying to stop. We have got to be fair about this.

It is not often that we have the opportunity to protect innocent local folks and businesses from costly and meritless lawsuits. This is an opportunity to rein in forum shopping and abuses by trial lawyers and hold them to a good faith standard in litigation. We can do that by passing a bill that is just a few pages long. That is the opportunity we have today.

All this bill does—all this bill does—is say that innocent, local parties—mostly small businesses—can't be added to a lawsuit for forum shopping purposes, and it only prohibits this when there is no plausible case against these small businesses or the case against them isn't brought in good faith.

Who could argue with that?

Mr. Chairman, for that reason, I urge all my colleagues to support this legislation, and I yield back the balance of my time.

The Acting CHAIR (Mr. SIMPSON). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and shall be considered as read.

The text of the bill is as follow:

H.R. 725

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Innocent Party Protection Act''.

**SEC. 2. PREVENTION OF FRAUDULENT JOINDER.**

Section 1447 of title 28, United States Code, is amended by adding at the end the following:

''(f) FRAUDULENT JOINDER.—

''(1) This subsection shall apply to any case in which—

''(A) a civil action is removed solely on the basis of the jurisdiction conferred by section 1332(a);

''(B) a motion to remand is made on the ground that—

''(i) one or more defendants are citizens of the same State as one or more plaintiffs; or

''(ii) one or more defendants properly joined and served are citizens of the State in which the action was brought; and

''(C) the motion is opposed on the ground that the joinder of the defendant or defendants described in subparagraph (B) is fraudulent.

''(2) The joinder of a defendant described in paragraph (1)(B) is fraudulent if the court finds that—

''(A) there is actual fraud in the pleading of jurisdictional facts with respect to that defendant;

''(B) based on the complaint and the materials submitted under paragraph (3), it is not plausible to conclude that applicable State law would impose liability on that defendant;

''(C) State or Federal law clearly bars all claims in the complaint against that defendant; or

''(D) objective evidence clearly demonstrates that there is no good faith intention to prosecute the action against that defendant or to seek a joint judgment including that defendant.

''(3) In determining whether to grant or deny a motion under paragraph (1)(B), the court may permit the pleadings to be amended, and shall consider the pleadings, affidavits, and other evidence submitted by the parties.

''(4) If the court finds that all defendants described in paragraph (1)(B) have been fraudulently joined under paragraph (2), it shall dismiss without prejudice the claims against those defendants and shall deny the motion described in paragraph (1)(B).''.

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 115–27. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–27.

Mr. SOTO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 10, strike ''This'' and insert ''Except as otherwise provided in this subsection, this''.

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

''(5) This subsection does not apply with respect to a case in which the plaintiff seeks compensation for public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination.''.

The Acting CHAIR. Pursuant to House Resolution 175, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would create an exception to this bill for instances of public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination. Fracking, especially in my home State of Florida, is dangerous, and its effects can be far-reaching. Just last week, a State senate committee voted unanimously to ban the practice in our State, and the bill continues to move through.

Pollution can reach our aquifers that provide drinking water to millions. Sometimes concerned citizens must go to court to stop this. Access to justice is a fundamental American right, and we must protect it. Sometimes in Washington, up is down and right is wrong. This, unfortunately, is the case with the so-called Innocent Party Protection Act.

□ 1530

This bill is incredibly harmful to those injured by corporate wrongdoers. If someone drinks poisoned water as a result of fracking, well stimulation, or general water contamination, this bill will make it harder for them to get justice for their injuries. By restricting access to State courts, the courts that are closest to the people, this bill would deny justice.

The bill will deny plaintiffs their right to choose a State court forum for their claims and will instead allow defendant companies that negligently pollute water to drag a case out, which will drive up costs and increase burdens for plaintiffs by removing it to Federal court.

Then, once a case is in Federal court, instead of litigating over the merits of the case, the courts will argue over the various requirements that this bill establishes. Placing a higher threshold that a plaintiff must satisfy to get the case sent back to State court is unnecessary and unduly burdensome.

The amendment I am offering would restore access to justice. It would allow people whose water has been contaminated by fracking and related activities to seek damages from corporate wrongdoers.

This amendment isn't just a hypothetical exercise. Here in my hand I hold 18 cases involving fracking. They are 18 cases where fracking led to injury. In 10 of these cases, plaintiffs sued in State court, raising State claims, yet defendants removed the case to Federal court, only to have the Federal court remand the cases back to the State due to lack of diversity jurisdiction.

Thus, I hold here 10 cases where a remand back to State court would be denied under this bill. If this bill had been enacted, I hold here 10 cases that would have been denied justice. Four of these 18 hydraulic fracturing cases are still pending. Will we deny justice for these four cases?

For these plaintiffs and for future plaintiffs, I ask my colleagues to vote in favor of this amendment and safeguard justice to all who drink water.

Mr. Chair, I urge support of my amendment, and I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment should be roundly opposed for the simple reason it doesn't protect any victims, but it also victimizes local parties in the types of cases covered by the amendment.

The purpose of the underlying bill is to allow judges greater discretion to free innocent local parties—that is, innocent people and innocent small businesses—from lawsuits when those innocent local parties are dragged into a case solely because a plaintiff's attorney wants to do some forum shopping.

These innocent local parties have, at most, an attenuated connection to the claims made by the trial lawyer against some national company a thousand miles away. These innocent local parties shouldn't have to suffer the time, expense, and emotional drain of a lawsuit when the plaintiff can't even come up with a plausible claim. The base bill protects these innocent local parties from being dragged into a lawsuit as a party just to keep the case in State court.

Now, let's bring in this amendment, which denies the bill's protection to innocent local parties adjoined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category and that one is in another. It is terribly unfair.

This amendment would allow these things to happen to innocent people in the name of allowing trial lawyers to scuttle the hydraulic fracking industry through lawsuits. Innocent people are innocent people, and they should be protected against being dragged into lawsuits regardless of the nature of the case.

This doesn't deny anybody access to the courts. It protects innocent parties from being dragged into a case for forum shopping.

Every single one of the gentleman's cases will be heard in court. They will have their day in court and they will have justice based on the facts.

This bill does not protect wrongdoing corporations. This bill protects people who are dragged into a lawsuit strictly for procedural purposes.

Mr. Chairman, I reserve the balance of my time.

Mr. SOTO. Mr. Chairman, water is not arbitrary. The right to clean water is not arbitrary. It is essential. Just ask the plaintiffs in these cases. Just ask the people of Flint. Just ask victims of fracking across our Nation, which is why we in Florida are looking to ban the practice.

So this isn't just some arbitrary area. This is an essential area that is affecting issues right now throughout the Nation.

Mr. Chairman, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Chairman, the Soto amendment is an excellent amendment and I can't see why anybody would oppose it. I can't see, in the first instance, why anyone would want to keep the people's cases out of the people's courts in their own States.

It seems as if there is a move somewhere in this Congress that is so intent on protecting polluters and the manufacturers of auto defects that they are willing to trample our basic principles of federalism and invade the proper province of the courts.

The Soto amendment would exempt from this bill all cases in which the plaintiff seeks compensation for public health risks like fracking or any other kind of water contamination. Water contamination is devastating to our communities regardless of the source, as demonstrated by the ongoing Flint water crisis in Michigan.

This bill makes it easier for large corporations to remove State law claims to Federal court, where they think they have got a better chance of beating the claims of the small guy. The Soto amendment at least would carve out cases where there are public health risks at stake, such as those caused by fracking, which has been proven to generate earthquakes, well contamination, and the poisoning of local water supplies.

Mr. SOTO. Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I am not going to get sucked into a debate of hydraulic fracking. Being from Texas, we might have a whole difference of opinion on that.

But I do want to point out, with respect to this bill, it doesn't deny anyone access to courts, it doesn't deny anyone access to justice regardless of what claim. I don't think it is fair we take out one particular claim or not one particular claim. That seems to go against fundamental fairness as well.

This bill is all about fairness. It is about fairness to keep people from being dragged into court solely because a plaintiff's attorney needs a local defendant to avoid diversity jurisdiction.

I oppose this amendment. I urge my colleagues to support this amendment and support the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RASKIN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115–27.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 4, strike the close quotation mark and the period which follows.

Page 5, after line 4, insert the following:

''(5) This subsection shall not apply to a case in which the plaintiff seeks compensation resulting from the bad faith of an insurer.''.

The Acting CHAIR. Pursuant to House Resolution 175, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I also oppose this underlying bill, which is why I call it, as others have, the wrongdoer protection act for multistate and multinational corporations, and for that purpose, I add this amendment.

It is no coincidence that these corporate wrongdoers want to force consumers to fight them in Federal court. That is the effect of this bill, to enlarge Federal court diversity jurisdiction.

It is no coincidence that the corporate wrongdoers want to fight in Federal court. It is not because they think the Federal judges are better looking or the Federal judges are more polite or the decor in the Federal courtrooms is nicer to look at. That is not it all. They want to go there because they are more likely to prevail and to beat consumers in Federal court. They know that.

They know that, after a generation of regrettable decisions across the street by the Supreme Court of the United States, Federal court has become very favorable turf for corporate wrongdoers—generations of bad decisions that invite and exhort Federal judges to forget about the Seventh Amendment in our Bill of Rights.

You remember the Seventh Amendment. It was written by James Madison. It was announced as approved by Secretary of State Thomas Jefferson, whose statue stands right outside this Chamber. It was an amendment that says very simply: '' . . . in suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved. . . . ''

There is nothing ambiguous about that statement. It is not hard to understand. It is about how important the right to trial by jury is to us here in these United States.

But since the 1980s, there has been this steady drumbeat of decisions from the United States Supreme Court encouraging and emboldening Federal court judges to decide and dismiss cases without the trouble of a jury trial. Their toolkit is enormous for doing that: motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, motions for directed verdict, motions for judgment as a matter of law.

Cases do get thrown out every day in this country without the trouble of a jury trial, and the Seventh Amendment right to a jury trial is not preserved. That is why wrongdoer corporations prefer to be in the Federal court.

Federal court has become candy land for corporate wrongdoers in this country, and this bill helps them stay there and fight consumers in Federal court. It changes the law to allow corporate wrongdoers to do that.

I want to give you some very strong reasons, Mr. Chairman, why this bill is so bad.

Number one, it is discriminatory. Unless you are a multistate or multinational corporation, this bill doesn't help you. If you are an individual sued in State court, this bill does not help you. If you are a small-business owner only doing work in your State, this bill does not help you. Only multistate, multinational corporations get help from this bill, and that is why I call it the wrongdoers protection act for multistate and multinational corporations.

Number two, it is burdensome. The Federal courts are already overworked and understaffed. The civil caseload is growing at 12 percent a year. There are currently 123 vacancies in our Federal judiciary. There is no reason to add to this burden by changing the law.

Number three, this bill forces State court cases into Federal court. We have a crowd in this House that consistently preaches about states' rights and the need to cut back on the Federal Government's reach, but a bill like this comes along and they drop that state's rights banner like it is a hot potato and pick up the coat of arms of the multistate, multinational corporations.

If you really do care about states' rights, you should be voting ''no'' on this bill.

You see, these cases called diversity cases are filed in State court under State law. Ever since the 1930s, in the Erie Railroad case, if you take these cases and handle them in Federal court, the Federal judges are bound by law to follow State law, not Federal law.

Mr. Chairman, there is nobody better at interpreting and following State law than State court judges. It stands to reason.

I offer this amendment that is at the desk to exempt consumer cases against insurance companies for bad faith in insurance practices. If the majority is going to persist and present this gift to multistate and multinational corporations, at least include this amendment and protect consumers trying to fight insurance companies.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment continues to victimize innocent local parties just because they happen to be in an insurance case.

The underlying bill is designed to protect folks from being dragged into a lawsuit just to facilitate forum shopping by plaintiffs' attorneys.

The purpose of this bill is to allow judges greater discretion to free these innocent local parties. They are the ones that are suffering as a result of this.

This amendment denies the bill's protection to innocent local parties joined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category rather than another, just like the previous amendment. It is terribly unfair. Innocent people are innocent people, and they should be protected from being dragged into a lawsuit regardless of the nature of the case.

The rules we have developed in this great country to protect the innocent are rules of general application, such as the rules protecting people's rights to have their side of the story told and the rules protecting people from biased or inaccurate testimony.

We should all be appalled by the suggestion that these general protections designed to protect innocent people from criminal liability should be suspended because the case is one of assault and battery or murder or somehow relates to insurance. It is the same kind of logic.

□ 1545

Our country is rightfully proud of its principles providing due process and equal protection, but these concepts are meaningless if they are only selectively applied to some type of cases and not others. And for the same reason, we should all be outraged at the suggestion that the rules of fairness, designed to protect the innocent, should be suspended in civil law cases because a case involves one particular subject matter or another. But that is exactly what this misguided amendment does.

This amendment would allow a plaintiff's lawyer to drag an individual insurance adjuster into a lawsuit even when the applicable State law makes it absolutely clear that only insurers, not individual people, are subject to bad faith claims. How does the sponsor explain this to a person like Jack Stout, why a lawyer pulled him into a bad faith lawsuit targeting State Farm? Mr. Stout was a local insurance agent who merely sold a policy to the plaintiff, met and spoke with the plaintiff once, and had nothing to do with processing the plaintiff's homeowner's insurance claim. A Federal District Court in Oklahoma found he was fraudulently joined and dismissed the claim against him, but under this amendment, the innocent person would have been stuck back in the lawsuit.

What about a person like Douglas Bradley, where the plaintiff's lawyer named him as a defendant in a bad faith lawsuit against an insurer? In that case, the complaint included Mr. Bradley, an insurance agent, as a defendant in the caption of the case. It referred to defendant, singular, not defendants. Throughout the entire pleadings, it didn't even mention his name. A Federal District Court in Indiana dismissed this claim against him as fraudulently joined, but under this amendment, this innocent person would have been stuck back in the lawsuit. It is not fair, it is expensive, and it is emotionally draining to these innocent parties.

For that reason, I urge opposition to the amendment and support of the underlying bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. FARENTHOLD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. NUNES) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, had come to no resolution thereon.

## FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2017

GENERAL LEAVE

Mr. FARENTHOLD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials to H.R. 985.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 180 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 985.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1549

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 985) to

amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. FARENTHOLD) and the gentleman from Maryland (Mr. RASKIN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. I yield myself such time as I may consume.

Mr. Chairman, recently an independent research firm surveyed companies in 26 countries and found that 80 percent of those companies that were subject to class action lawsuits were U.S. companies, putting those U.S. companies at a distinct economic disadvantage when competing with companies worldwide.

But the problem of overbroad class action doesn't just affect U.S. companies. It affects consumers in the United States who are forced into lawsuits they don't want to be in. How do we know that? We know that because the median rate at which consumer class action members take the compensation offered in a settlement is incredibly low. That would be 0.023 percent. That is two-hundredths of a percent. That is right, only the tiniest fraction of consumer class action members bother to claim the compensation awarded them in a settlement. That is clear proof that vastly large numbers of class members are satisfied with the products they purchase, don't want compensation, and don't want to be lumped into a ginormous class action lawsuit.

Federal judges are crying out for Congress to reform the class action lawsuit system, which currently allows trial lawyers to fill classes with hundreds and thousands of unmeritorious claims and use those artificially inflated claims to force defendants to settle the case. Liberal Justice Ruth Bader Ginsburg has recognized that ''A court's decision to certify a class . . . places pressure on the defendant to settle even unmeritorious claims.''

Judge Diane Wood of the Seventh Circuit Court of Appeals, appointed by President Clinton, has explained that class certification ''is, in effect, the whole case.'' And as one appeals court judge, nominated by President Obama, wrote in his dissent in a recent class action case, ''The chief difficulty we confront in this case arises from the fact that some of the members of the class have not suffered the . . . injury upon which this entire case is predicated and that could constitute as many as 24,000 consumers who would have no valid claim against the defendants under the state laws even if the named plaintiffs win on the merits.''

He went on to chastise the other judges who allowed the class action to proceed, writing ''if the district court does not identify a culling method to ensure that the class, by judgment, includes only members who were actually injured, this court has no business simply hoping that one will work.''

The purpose of a class action is to provide a fair means of evaluating similar, meritorious claims, not to provide a way for lawyers to artificially inflate the size of a class to extort a larger settlement fee for themselves, siphoning money away from those actually injured, and increasing prices for everyone.

Just look at an accounting of recent class action settlements. The SUBWAY food chain was sued in a class action because trial lawyers complained their foot-long subs weren't a full foot long. As part of the settlement, small amounts were paid to the 10 class representatives, but the millions of other class members received nothing; not a dime, not a sandwich. Meanwhile, the lawyers were awarded $520,000 in fees. The settlement was appealed, and during oral arguments Judge Diane Sykes remarked that ''A class action that seeks only worthless benefits for the class should be dismissed out of hand. That's what should have happened here. . . . This is a racket.''

The Coca-Cola Company was sued in a class action lawsuit involving Vitaminwater. Class members received zero dollars in the settlement. The lawyers were awarded $1.2 million in fees.

In a case involving Facebook, the company agreed to settle the case by paying class counsel $3 million. Zero dollars were paid to class members. The Ninth Circuit affirmed the deal, but in a withering dissent, Judge Kleinfeld observed that ''Facebook users who had suffered damages . . . got no money, not a nickel, from the defendants. Class counsel, on the other hand, got millions.''

This bill includes several reforms. It prevents people from being forced into a class with other uninjured or minimally injured class members, only to have the compensation of injured parties reduced. It prevents trial lawyers from using incestuous, litigation-factory arrangements to gin up lawsuits. It requires courts to use objective criteria in determining who is injured in a class action and how compensation will actually reach the victims. It requires that injured victims get paid first, before the lawyers, and that lawyer fees be limited to a reasonable percentage of the money received by victims.

It requires judges to itemize exactly who gets what in a class action settlement and who is paying and controlling the lawyers. It requires all the rules governing class action be followed, that expensive pretrial proceedings be put on hold while the court determines if the case can't meet class certification requirements, and allows appeals of those class certification orders so justice can be done faster.

It ensures lawyers don't add plaintiffs just for forum shopping purposes, and it requires the verification of allegations in multidistrict pretrial proceedings, ensuring defendants receive due process while plaintiffs, not lawyers, get the benefits of any cost savings achieved by the multidistrict pretrial process.

H.R. 985 also contains provisions to include much-needed transparency into the asbestos bankruptcy trust system. On too frequent an occasion, by the time asbestos victims assert their claims for compensation, the bankruptcy trust formed for their benefit has been diluted by fraudulent claims, leaving these victims without their entitled recovery.

The reason that fraud is allowed to exist within the asbestos trust system is the excessive lack of transparency created by plaintiffs' firms. The predictable result of this reduced transparency has been a growing wave of claims and reports of fraud.

This bill strikes the proper balance of transparency and preserving the dignity and medical privacy of asbestos victims while also minimizing the administrative impact on the asbestos trusts. This bill saves the money in these trusts, which is a limited amount of money, to make sure future claimants, many of whom are veterans, have the opportunity to seek and receive compensation for their injuries and prevent double-dipping and fraud.

Please join me in supporting this bill on behalf of consumers and injured parties everywhere.

Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to H.R. 985, the so-called Fairness in Class Action Litigation and Furthering Asbestos Claims Transparency Act of 2017.

I want to thank my distinguished colleague from Texas for his presentation and for also making clear that the overriding purpose here is really to give the class action mechanism the guillotine. Now, this doesn't formally abolish the class action mechanism. It is not the guillotine, but it is a straitjacket. Let's be very clear, the whole purpose of this legislation is to make it virtually impossible for class action lawsuits to be brought by groups of citizens who share a common injury from things such as consumer rip-offs, pharmaceutical drug mistakes, faulty product design, sex discrimination, sexual harassment, poisonous breast implants, asbestos poisoning, lead poisoning, and so on—all of the billions of dollars worth of tort actions, nothing fraudulent about them, all of them already determined by courts and by juries to have taken place against our citizens, and they want to make it virtually impossible for people to proceed in court under the class action mechanism.

I began with a very important process observation which I noted before, Mr. Chairman. There has been no hearing on this legislation. There have been

no calls for this legislation from people allegedly suffering the horrors of the reviled class action lawyers. I notice that while my thoughtful colleague from Texas uses much of his time to deplore the work of plaintiffs' lawyers, he says nothing about defendants' lawyers, who have defended guilty parties in all of the cases we have mentioned before—all of the mass toxic torts, all of the drug injury cases, all of the environmental crimes and torts, all the asbestos poisoning and so on—and they have got a right to do that. They are simply doing their job. But the plaintiffs' lawyers have a right to do their job, too. That is how our system works.

I find it fundamentally disturbing that anybody would be out denouncing lawyers for representing people who have been injured in a tort case. But I oppose this misguided legislation because it sends another huge Valentine and wet kiss to large corporate polluters and tortfeasors but gives the finger to millions of American citizens who suffer injuries from these defendants.

This legislation would shield corporate wrongdoers by making it far more difficult for them to get together to obtain justice in a class action lawsuit. So whether it is by making it almost impossible for Americans to pursue their day in court through the class action vehicle or threatening the privacy of asbestos victims, it is clear that H.R. 985 wants to give corporate polluters and tortfeasors the power to play hide-and-go-seek with their victims in Federal court whenever they want to.

□ 1600

And it raises the broader question of who rightfully should hold power in a representative democracy like ours. Should it be large, private corporations, who are seeking rightfully their own profits? Or should it be the people, who are supposed to be sovereign?

I say it is the people.

This bill only favors the interests of the already powerful, to the detriment of the vast majority of the American people.

In cases seeking monetary relief, the bill requires a party seeking class certification to show that every potential class member suffered the same type and scope of injury at the certification stage, something that is virtually impossible to do. This requirement alone would sound the death knell for class actions, which are the principal means we have in court for consumers to hold wrongdoers accountable, without having to engage in multiple duplicative actions all over a State or all over the country, piling up the expenses for courts.

Most importantly, class actions make it feasible for those who have smaller but not inconsequential injuries to get justice. These injuries include diverse matters like products liability, employment discrimination, sexual harassment, and so on.

It is already very difficult to pursue class actions. Under current law, the courts strictly limit the grounds by which a large group of plaintiffs may be certified as a class, including the existing requirement that their claims raise common and factual legal questions, and that the class representative's claims must be typical of those of the other class members.

Finally, title II of H.R. 985 gives asbestos defendants—the very entities whose products have injured millions of Americans—new weapons with which to go out and harm their victims. This part of the bill would require a bankruptcy asbestos trust to report on the court's public case docket—which is then made immediately available on the internet—the name and exposure history of each asbestos victim who gets payment from a trust, as well as the basis of any payment made to that victim.

As a result, the confidential personal information of asbestos claimants, including their names and entire exposure histories, would be irretrievably released into the public domain. Imagine what identity thieves, reporters, insurers, potential employers, lenders, and data collectors could do with this sensitive information.

The proper title of this section of H.R. 985 should be the alternative fact act, not the FACT Act, because it penalizes the victims while favoring the perpetrators.

The bill requires the trusts to make intrusive disclosures of victims' personal information, but it makes no comparable demands on asbestos manufacturers, some of which intentionally concealed the life-threatening dangers of their products not just for months or years, but for decades, the result of which millions of unsuspecting workers and consumers were exposed to this toxic substance.

Essentially, this bill re-victimizes asbestos victims by exposing their private information to all of the world—information that has absolutely nothing to do with compensation for asbestos exposure.

Accordingly, I must oppose also this highly flawed provision of the legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to point out to my colleague across the aisle that over the past several Congresses, we have had multiple hearings on class action reform and asbestos trust litigation, all of which are easily and publicly available.

I further would like to go on to say this bill doesn't prevent any claim from being brought as a class action—zero, zip, none. All it does is maximize the recovery of the victims.

Under this bill, a class action lawyer's fees are pegged to a reasonable percentage of the money actually received by the client under the settlement. What that will do is incentivize lawyers to make the maximum amount available to their clients, to seek the maximum recovery for their client.

Under this bill, class action lawyers will no longer be able to agree to settlements that give them millions of dollars and get their clients absolutely nothing, or maybe a coupon, if they are lucky.

Under this bill, a class action lawyer will get more in fees as long as they agree to a settlement that actually means that their clients, the actual plaintiffs, are getting a reasonable amount of money. Imagine that: incentivizing lawyers to do the best work for their clients. That is what this bill does.

I would also like to talk for a second about the asbestos portion of this. I have to say that this is a little troubling for me. The disclosure requirements in the FACT Act portion of this bill requires less than would be required in a State court pleading for damages. It is the minimum amount of information necessary to make sure somebody isn't double-dipping. It specifically protects medical records and social security numbers. It is designed as a fraud prevention tool.

The argument that this is designed to protect companies that manufactured asbestos is flawed. This is designed for the asbestos trust—companies that have gone bankrupt and set aside large amounts of money to be paid to the victims of asbestos. This protects the assets in those trusts, not the tortfeasor companies. We are making sure there is enough money in these trusts to pay future victims by stopping fraudulent claims today.

Mr. Chairman, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am afraid that the eloquence of my opponent might cloud the issue for some of the people in America. So rather than having us go back and forth disputing the character of the legislation before you, I urge everybody to go to it. But let's go to some of the people who care most about protecting innocent Americans from corporate wrongdoing and injury in the marketplace and in the workplace, and let's see what they have got to say about it.

Mr. Chairman, I have a letter to the House from groups who oppose this legislation as an assault on the rights of consumers and workers, including the Alliance for Justice, the American Association for Justice, Americans for Financial Reform, the Asbestos Disease Awareness Organization, the California Kids IAQ, the Center for Justice and Democracy, the Center for Science in the Public Interest, Central Florida Jobs with Justice, Coal River Mountain Watch, the Committee to Support the Antitrust Laws, Consumer Action, Consumer Federation of America, Consumer Watchdog, Consumers for Auto

Reliability and Safety, Consumers Union.

I have just gone through the Cs. I am not going to take us all the way through the Zs, Mr. Chairman. But America's consumer groups are opposed to this legislation, and America's workers' groups are opposed to this legislation. It is a wolf in sheep's clothing, Mr. Chairman.

I have also gotten, specifically on the asbestos point, a letter from groups concerned with occupational health and safety who strongly oppose the Furthering Asbestos Claim Transparency Act, saying that this bill will drain critical resources that have been set aside to secure justice for victims of asbestos diseases, while simultaneously publishing those victims' personal information on the internet. Included in this very long list of opponents are the Asbestos Disease Awareness Organization, the Communications Workers of America, the Maine Labor Group on Health, the National Council for Occupational Safety and Health, the New Jersey State Industrial Union Council, and on and on.

So, again, they pushed this legislation through the House of Representatives at the speed of light, but under the cloak of darkness with no hearing at all. And then they come out and say: It is really for you, trust us. We are the Federal Government. We are here to help you. We are going to move all of the cases into Federal Court, and we are going to make it a lot easier to nullify class actions.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 985, the so-called Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act.

This outrageous legislation would severely limit the ability of injured consumers and workers to obtain relief through class action lawsuits. If that were not bad enough, the bill also contains a totally unrelated measure to violate the privacy of asbestos victims, and subject them to potential discrimination. Together, this legislation is just one more measure in the Republican parade of bills this week to further tilt the playing field in favor of wealthy corporations over ordinary people.

Class action suits are an essential tool to enable victims of corporate wrongdoing to be compensated for their injuries and to deter future misconduct. Plaintiffs often seek to band together as a class when the potential damages they could receive individually are too low to make it practical to hire a lawyer and bring a lawsuit alone. But, as members of a class, they have the power to secure relief from a multimillion-dollar company and put an end to its illegal practices.

That is exactly why the big corporations oppose them. It makes it harder for those companies to operate with impunity from the law, with little regard for the injuries they may cause.

It was class action lawsuits that helped uncover years of corrupt practices in the tobacco industry and began to turn around a public health disaster, not to mention recover billions of dollars. It was class action lawsuits that revealed contamination of groundwater that cause certain forms of cancer. It was class action lawsuits that revealed fraudulent pricing practices and misleading advertising by drug companies, widespread employment discrimination, and predatory payday lending practices. Class action lawsuits also helped expose and bring down the sham university peddled on winning victims by the current occupant of the White House.

But this bill includes a range of provisions that would make such class action suits practically impossible. For example, it would require each member of a class to suffer ''the same type and scope of injury'' as the named class representative. What this means is that if two people use a defective product, but one suffers first-degree burns while the other person suffers third-degree burns, they cannot join together in a class because their injuries are of a different scope. Or take a company with a pattern of racial discrimination. If some workers are being paid less than others for doing the same job while other workers find themselves repeatedly passed over for deserved promotions, they cannot join in the same class action because they would not be deemed to have suffered the same type of injury—one having been paid less, the other having been passed over for promotions—despite being victims of the same discriminatory policies.

This is just one of a host of unnecessary and onerous requirements placed on victims by this bill that makes it virtually impossible to form a class. When added together, it amounts to a giant bailout for wealthy corporations at the expense of injured consumers and workers.

Mr. Chairman, we do not want the Federal courts to be simply collection agencies to large corporations. We need justice for the small, ordinary person.

Mr. Chairman, I urge my colleagues to defeat this legislation.

Mr. FARENTHOLD. Mr. Chairman, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I thank Mr. NADLER for his excellent comments.

Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to H.R. 985, a monster of a bill, combining the anticonsumer Fairness in Class Action Litigation Act and the antivictim Furthering Asbestos Claim Transparency Act.

H.R. 985 has the same goals and objectives as the bill that just slithered out of this body just a few moments ago, the so-called Innocent Party Protection Act, which more appropriately should be called, the Corporate Wrongdoer Protection Act.

H.R. 985 is part of a wave of anticonsumer corporate wrongdoer protection bills being considered this week by this Republican-controlled Congress. The purpose of these bills is to protect and insulate big corporations from being held accountable when they rob, hurt, and maim everyday Americans struggling to make it here in America.

As a former and long-term Member of the House Armed Services Committee, I would like to first remind this body of Susan Vento and Judy Van Ness, brave widows, who joined us during the Judiciary Committee markup of the FACT Act and shared with us the heartbreak asbestos exposure has caused their families.

Susan is the widow of our late colleague, Congressman Bruce Vento. Judy's husband, Richard, was a Navy veteran, who served this country with distinction. Both men saw their lives tragically cut short—Bruce at 60 and Richard at 62—both by mesothelioma.

Georgia is ranked 23rd in the Nation for mesothelioma and asbestos-caused deaths, in part due to the large number of military operations, facilities, and military industrial complex projects throughout the State. Virtually every ship commissioned by the U.S. Navy between World War II and the Korean war contained several tons of asbestos in the engine room insulation, fireproof doors, and miles of pipes. While the military discontinued asbestos products around 1980, hundreds of military and civilian installations were left with asbestos in the flooring and ceiling tiles, cement foundations, as well as in thousands of military vehicles.

□ 1615

After defending our freedom abroad, many veterans returned to the civilian workforce where they were further exposed to asbestos, people such as Richard Van Ness, who suffered asbestos exposure while on a Navy destroyer and during his career as a union pipefitter. Unfortunately, veterans like Richard comprise over 30 percent of all asbestos-caused mesothelioma deaths, despite making up only 8 percent of the Nation's population.

Eighteen veterans' groups, including the Military Order of the Purple Heart, AMVETS, and the Vietnam Veterans of America, these organizations have expressed their strong opposition to this bill. I include a letter from them in the RECORD.

FEBRUARY 14, 2017.

Re Veterans Service Organization oppose the ''Furthering Asbestos Claims Transparency (FACT) Act''.

Hon. PAUL RYAN,
*Speaker of the House, House of Representatives, Washington DC.*
Hon. KEVIN MCCARTHY,
*Majority Leader, House of Representatives, Washington DC.*
Hon. BOB GOODLATTE,
*Chairman, House Judiciary Committee, House of Representatives, Washington DC.*
Hon. NANCY PELOSI,
*Minority Leader, House of Representatives, Washington, DC.*
Hon. STENY HOYER,
*Minority Whip, House of Representatives, Washington, DC.*
Hon. JOHN CONYERS,
*Ranking Member, House Judiciary Committee, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN, LEADER MCCARTHY, LEADER PELOSI, WHIP HOYER, CHAIRMAN GOODLATTE, AND RANKING MEMBER CONYERS: We, the undersigned Veterans Service Organizations oppose the ''Furthering Asbestos Claims Transparency (FACT) Act.'' We have continuously expressed our united opposition to this legislation via written testimony to the House Judiciary Committee, House Leadership, in-person meetings and phone calls with members of Congress. It is extremely disappointing that even with our combined opposition, the FACT Act will be marked up in the House Judiciary Committee later this week.

Veterans across the country disproportionately make up those who are dying and afflicted with mesothelioma and other asbestos related illnesses and injuries. Although veterans represent only 8% of the nation's population, they comprise 30% of all known mesothelioma deaths.

When our veterans and their family members file claims with the asbestos bankruptcy trusts to receive compensation for harm caused by asbestos companies, they submit personal, highly sensitive information such as how and when they were exposed to the deadly product, sensitive health information, and more. The FACT Act would require asbestos trusts to publish their sensitive information on a public database, and include how much money they received for their claim as well as other private information. Forcing our veterans to publicize their work histories, medical conditions, majority of their social security numbers, and information about their children and families is an offensive invasion of privacy to the men and women who have honorably served, and it does nothing to assure their adequate compensation or to prevent future asbestos exposures and deaths.

Additionally, the FACT Act helps asbestos companies add significant time and delay paying trust claims to our veterans and their families by putting burdensome and costly reporting requirements on trusts, including those that already exist. Trusts will instead spend valuable time and resources complying with these additional and unnecessary requirements delaying desperately needed compensation for our veterans and their families to cover medical bills and end of life care.

The FACT Act is a bill that its supporters claim will help asbestos victims, but the reality is that this bill only helps companies and manufacturers who knowingly exposed asbestos to our honorable men and women who have made sacrifices for our country.

We urgently ask on behalf of our members across the nation that you oppose the FACT Act.

Signed:

Air Force Association; Air Force Sergeants Association; Air ForceWomen Officers Associated; AMVETS; AMSUS, the Society of Federal Health Professionals; Association of the United Statse Navy; Commissioned Officers Associatuion of the US Public Health Service, Inc.; Fleet Reserve Association; Jewish War Veterans of the USA; Military Officers Association of America; Military Order of the Purple Heart of the U.S.A.; National Defense Council; Naval Enlisted Reserve Association; Non Commissioned Officers Association of the United States of America; The Retired Enlisted Association, USCG; Chief Petty Officers Association; US Army Warrant Officers Association; Vietnam Veterans of America.

The CHAIR. The time of the gentleman has expired.

Mr. RASKIN. I yield an additional 30 seconds to the gentleman.

Mr. JOHNSON of Georgia. I thank the gentleman, and I would ask my colleagues to join me and the distinguished members of those 18 veterans' organizations and oppose this bill.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

Clearly there are two groups of individuals who we are not fearful will commit fraud. It is our Nation's veterans and servicemembers. At the same time, there is no reason to distinguish between the disclosure obligation of veteran servicemembers and the disclosure obligations of ordinary citizens.

This FACT Act provision is designed to protect veterans from fraud and make sure our future veterans who are exposed and other people who are exposed in their jobs to asbestos have the resources available because the company that actually made the asbestos is most likely bankrupt and out of business now.

There are finite resources in these trusts, and we owe it to our servicemembers and to future victims of asbestosis or mesothelioma to make sure there is money there to take care of their medical bills and compensate them for the injuries. That is the purpose of the FACT Act portion of this bill.

Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chair, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Chairman, I rise in opposition to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017.

Mr. Chairman, there can be no doubt that this legislation is an assault on the civil justice system. By effectively banning class actions, H.R. 985 would give wrongdoers a permission slip to avoid public scrutiny or liability for their unlawful conduct. Worse still, this legislation also contains the text of the so-called FACT Act, which is designed to delay justice for asbestos victims and deny accountability for corporate defendants.

As the ranking member of the House Judiciary Subcommittee that exercises jurisdiction over this bill, I am strongly opposed to this dangerous and offensive measure.

For decades, medical experts have closely linked asbestos exposure with mesothelioma, a form of lung cancer, and other forms of lung disease. Asbestos manufacturers have also known about the deadly effects of asbestos exposure; but, as a Federal judge noted in 1991, there is compelling evidence that these companies sought to conceal this information from workers and the general public. Instead of sharing this critical information, which could have saved countless lives through exposure prevention, asbestos companies ''continued to manufacture one of the most widely used asbestos products without informing workers or the public,'' as the nonprofit Environmental Working Group has reported.

Real examples of this widespread corporate deception are legion, but one in particular stands out. In 1966, the senior executive of a corporation that currently operates as a subsidiary of Honeywell wrote that, if asbestos victims ''enjoyed a good life while working with asbestos products, why not die from it.''

In the wake of numerous lawsuits related to asbestos-related deaths, Congress amended the bankruptcy code in 1994 to authorize the use of trusts for the settlement of asbestos liability.

In 2001, the nonpartisan Government Accountability Office conducted an exhaustive study of these trusts but did not find a single example of fraudulent conduct. Despite this finding, proponents of H.R. 985 now make the outrageous and totally unsupported claim that victims of asbestos exposure have committed fraud—more alternative facts.

In the name of what they describe as transparency, the bill would force trusts to publicly disclose asbestos victims' sensitive personal information, including their names, partial Social Security numbers, and the like. Beyond the obvious consequences these requirements would have in the form of hacking and identity theft, this information is already available to relevant parties on a confidential basis through the discovery process, as both the GAO and the RAND Corporation have reported.

I agree with the majority that asbestos trusts must be accountable and transparent to both present and future claimants, but there is no evidence to suggest any wrongdoing or any fraud. This legislation would only make it easier for wrongdoers to get away with harming others and to make it harder for Americans to be compensated for these injuries.

Mr. Chairman, I urge my colleagues to oppose H.R. 985.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

I am going to have to beg to differ with my colleague from across the aisle.

Fraud has been documented in news reports, State court cases, and in testimony before the Judiciary Committee.

The Wall Street Journal conducted an investigation that found thousands of dispiritedly filed claims. Court documents in many States, including Delaware, Louisiana, Maryland, New York, Ohio, Oklahoma, and Virginia, attest to widespread fraud. Most recently, a bankruptcy case in North Carolina uncovered a startling number of dispiritedly filed claims.

Additionally, the Judiciary Committee heard testimony over the course of four hearings about the FACT Act, during which witnesses repeatedly testified that fraud existed within the asbestos trust bankruptcy situation. Keep in mind that the fraud reported today has been in spite of the lack of disclosure that exists.

Consistent with other multimillion-dollar compensation programs, there is fraud occurring in the asbestos trust system, and the FACT Act will go a long way to uncovering that fraud. The FACT Act is designed to provide the minimum amount of transparency necessary to prevent this fraud while protecting the personal information of those victims of asbestos.

Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, asbestos is a deadly poison. It can cause lung cancer and mesothelioma. Once detected, these patients survive only, on average, 8 to 14 months. It was true for Congressman Bruce Vento, who proudly served the families of Minnesota's Fourth District for more than 23 years in this House.

Bruce was a friend, and he died from mesothelioma 8½ months after he was diagnosed. Congress has a responsibility to find real solutions to support mesothelioma victims and their families, but H.R. 985 would not support the families. In fact, it exposes families at a time of great vulnerableness.

It exposes them by putting their identity, their name, their address, and the last four digits of their Social Security number on a public website—a public website—when this information has already been given in a confidential manner.

It is especially outrageous to me that once again this legislation is on the floor and it fails to protect children who are victims of asbestos exposure from having their information shared publicly. Parents should have the peace of mind knowing that their child's privacy is secure and not on the internet where who knows who would be out possibly preying on them.

I ask my colleagues to stand with me, stand with the mesothelioma victims, stand with their families, stand with their children, and oppose this bill, as they have asked me to do.

Mr. FARENTHOLD. I reserve the balance of my time.

Mr. RASKIN. Mr. Chair, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT.)

Mr. SCOTT of Virginia. Mr. Chair, I thank the gentleman for yielding.

I rise in opposition to H.R. 985. In addition to the legislation's many problems that have already been mentioned by my colleagues, I am particularly concerned about what the bill does in the so-called FACT Act, which will have a devastating impact on workers exposed to asbestos.

I am acutely aware of the devastating impact that asbestos exposure has on working men and women in this country because I represent an area with several shipyards. In the last few decades, in my district alone, several thousand local shipyard workers have developed asbestosis, lung cancer, and mesothelioma from asbestos exposure that occurred between the 1940s and 1970s. Hundreds of these workers have already died, and asbestos deaths and disabilities are continuing due to the long latency period associated with this illness.

I believe that we cannot consider the legislation affecting the victims of asbestos exposure without remembering exactly who caused the problem. Court findings show that the companies made willful and malicious decisions to expose their employees to asbestos. Here are a couple of examples.

One case, in 1986, after hearing both sides, the New Jersey Supreme Court declared:

> It is indeed appalling to us that the company had so much information of the hazards of asbestos workers as early as the mid-1930s and that it not only failed to use that information to protect the workers, but, more egregiously, it also attempted to withhold this information from the public.

A few years earlier, the Superior Court, Appellate Division, in New Jersey said that: ''The jury here was justified in concluding that both defendants, fully appreciating the nature, extent, and gravity of the risk, nevertheless made a conscious and coldblooded business decision, in utter and flagrant disregard of the rights of others, to take no protective or remedial action.''

In a separate case in Florida, after hearing both sides, the court declared that:

> The clear and convincing evidence in this case revealed that, for more than 30 years, the company concealed what it knew about the dangers of asbestos. In fact, the company's conduct was even worse than concealment. It also included intentional and knowing misrepresentations concerning the danger of its asbestos-containing product.

That is who we are talking about. These are the types of companies who will benefit from this legislation. Any suggestion that people are getting paid more than once is absurd. The fact of the matter is, because of bankruptcies, most of them aren't getting anywhere close to what they actually should be receiving, but the bill before us does not help those victims. It actually hurts them.

The bill is nothing more than a scheme to delay the proceedings and allow the victims to get even less than they are getting now. Because of the delay, many of the victims will die before they get to court. This helps the guilty corporations that have inflicted this harm on innocent victims because, if the plaintiffs die before they get to court, their pain and suffering damages are extinguished. If they can delay the cases enough so that the plaintiffs die before they get to trial, the corporations will not only get to delay their payments, but when they finally pay, they will pay much less.

These are the people who made those conscious and coldblooded business decisions. Those are the ones who will actually benefit from this legislation at the expense of hardworking, innocent victims. The victims of this corporate wrongdoing oppose this bill.

Regrettably, many of those victims are our veterans because they were working aboard Navy ships.

Mr. Chair, we should reject this legislation.

Mr. FARENTHOLD. Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I yield myself such time as I may consume.

We obviously have a different vantage point on what is taking place in the civil courtrooms of America today. On our side, we look out over America and in the courts and we see millions of our neighbors, our fellow citizens who are suffering the effects of asbestos poisoning, which is real, not imaginary; lead poisoning, which is real, not imaginary; and manufacturing defects by large automobile manufacturers and others.

They look at it and all they see is fraud, and they want to put the class action mechanism in a straightjacket to make it extremely difficult, if not impossible, for people to pursue class actions. They want to put the names of asbestos victims up online for the whole world to see.

Obviously, we have got a division of opinion within the legislative branch. What about the judiciary itself?

Well, the Judicial Conference of the United States, the policymaking arm of the Federal judiciary, and the American Bar Association both strongly oppose H.R. 985. The conference report that has been studying class actions for 5 years has considered many of the issues addressed in H.R. 985. It strongly urges Congress not to amend the class action procedures found in rule 23 outside the Rules Enabling Act process.

□ 1630

Likewise, the ABA observes the many problems of advancing comprehensive class action reform without a hearing to examine all the complicated issues involved with so many rule changes.

Mr. Chairman, the other side invoked some hearings. I was astonished to hear it because I have been here for several months. I just joined Congress. I didn't have any hearings. It turns out I understand they were referring to

hearings that took place last year, perhaps the year before, where I understand—but all of it is hearsay to me because I wasn't here—that actual victims of asbestos poisoning were not permitted themselves to testify. It was a completely one-sided, lopsided process, and I will try to get to the bottom of that in order to determine it.

This is what happens when they are moving legislation through this body at lightening speed, but really in the thick of darkness because we don't have any meaningful, transparent communication about what the underlying issues are.

Well, I restate my opposition to this. The class action mechanism has been a central vehicle for justice for Americans for many decades. And now without so much as a hearing, without the mobilization of any proof that this should be done over the objections of the Judicial Conference of the United States, over the objections of the American Bar Association, and over the objections of every consumer group and worker group that has written in that I have seen, they are purporting to be acting in the name of the American people. In fact, what they are doing is they are pulling the rug out from underneath the class action vehicle.

Class actions have been so central to vindicating the rights of people who have been victimized by corporate polluters and toxic contaminators and automobile manufacturers who knowingly put defective instruments into cars, leading to people's deaths and injuries, and they want to make it more difficult for people to pursue justice in the courts.

I urge all of my colleagues to study this legislation the best they can and to reject it.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I yield myself such time as I may consume.

I want to address the fact that there have been numerous hearings on the FACT Act and the problems associated with it. There was one hearing before the Judiciary Committee on the Constitution on September 9, 2011. There were three legislative hearings before the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law, one during the 112th Congress, one during the 113th Congress, and one during the 114th Congress. I am sure the gentleman's staff could have gotten him copies of those.

I also point out that the minority used these opportunities to call witnesses that were representatives of the plaintiffs' asbestos trial bar. They called the attorneys to voice their concern about the bill, not the victims. In fact, the minority called the same witness for three out of the four hearings. Now they claim that asbestos victims were never provided an opportunity to testify.

The Judiciary Committee has provided ample opportunity to include asbestos victims' views on the legislation in the record, and there are many letters and statements from victims in the record.

In closing, I do want to say—going back to the class action part of this bill for a second only—that only the tiniest fraction of consumers in class actions bother to claim the compensation awarded them in the settlement. That is clear proof that the vastly large number of class members are satisfied with the products they have purchased, don't want compensation, and don't want to be lumped into a gigantic class action lawsuit.

Federal judges are crying out for Congress to reform the class action system, which currently allows trial lawyers to fill classes with hundreds and thousands of meritorious claims and use those artificially inflated classes to force defendants to settle the case.

As I recounted, class action settlements have left lawyers with millions of dollars while victims receive absolutely nothing or a coupon, at best. The bill prevents people from being forced into class actions with other uninjured or minimally injured members only to have the compensation of injured parties reduced. It requires that lawyer fees be limited to a reasonable percentage of the money injured victims actually receive. I urge my colleagues to support the bill.

I also want to talk a second about the FACT Act. We hear these stories about these corporations that did all of this wrong. Many of them are bankrupt, and the only money available to the victims are the money that has been set aside in these asbestos trust funds. When an unscrupulous attorney makes a claim against multiple trusts or files claims in Federal court and State court, it is difficult, if not impossible, to find out if that claim has already been made. The FACT Act makes that easily available while providing privacy necessary to protect the victims.

The FACT Act is designed to protect the future victims and make sure there is money there for the children, for the veterans, for the hardworking Americans who are injured by asbestos but whose symptoms have not yet manifested. Sometimes these asbestos-related diseases take decades to show up, and there needs to be money there to take care of those folks. That is what this legislation is intending to do, not to protect corporations.

I urge my colleagues to support this bill that provides much-needed reform to the class action system and to the asbestos trust system.

Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in strong opposition to Rules Committee Print 115–5 of H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017, which is a radical measure that would overturn centuries of American law.

This committee print buries the ''Furthering Asbestos Claim Transparency Act of 2017,'' crammed through committee on a party-line vote, within the overarching legislation intended to effectively obliterate class actions in America, H.R. 985, the Fairness in Class Action Litigation Act of 2017.

I oppose this two-for-one bill combination because it will, in sum, undermine the enforcement of this Nation's civil rights laws and upend decades of settled class action law.

The fact that the House would even consider such sweeping, reckless legislation without holding a single hearing is an outrage.

This poorly drafted legislation will create needless chaos in the courts without actually solving any demonstrated problem.

Class action lawsuits are among the most important tools to enable injured, cheated, and or victimized individuals and small businesses to hold large corporations and institutions accountable and deter future misconduct.

H.R. 985 would eviscerate that tool.

Let me remind my colleagues that class actions are critical for the enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services.

As the Supreme Court has recognized in Amchem Products, Inc. v. Windsor, class actions provide ''vindication of the rights of groups of people who individually would be without effective strength to bring their opponents into court at all.''

Amchem Products, Inc. v. Windsor, 521 U.S. 591, 617 (1997). Courts have interpreted Rule 23 of the Federal Rules of Civil Procedure, the federal class action rule, over decades and the Advisory Committee on Civil Rules has, through its deliberative process, reviewed and amended the rule to ensure its fair and efficient operation.

No further revisions are needed at this time.

Civil rights injuries are never identical and are already subject to rigorous judicial review.

H.R. 985 imposes a new and impossible hurdle for class certification.

This alone would sound the death knell for most class actions.

It requires that the proponents of the class demonstrate that each class member has suffered the same type and scope of injury.

At this early stage of a civil rights class action, it is frequently impossible to identify all of the victims or the precise nature of each of their injuries.

Classes inherently include a range of affected individuals, and in no case does every member of the class suffer the same scope of injury from the same wrongful act.

But even if this information were knowable, class members' injuries would not be the same.

As a simple example, those overcharged for rent will have different injuries.

In an employment discrimination class action, the extent of a class member's injuries will depend on a range of factors, including their job position, tenure, employment status, salary, and length of exposure to the discriminatory conditions.

For this reason, nearly forty years ago, the Supreme Court developed a two-stage process for such cases in International Brotherhood of Teamsters v. U.S., 431 U.S. 324, 371–72 (1977).

In the first stage, the court determines whether the employer engaged in a pattern or practice of discrimination.

If the employer is found liable, the court holds individual hearings to determine the relief (if any) for each victim.

The Supreme Court recently reaffirmed the use of the Teamsters model for discrimination class actions in part because of the individualized nature of injuries.

In the case of Wal-Mart Stores, Inc. v. Dukes, 564 U.S. 338, 366 (2011).

Thus, this bill would overturn the approach established four decades ago to permit a class of victims of discrimination to seek effective relief.

Certainly, many civil rights, discrimination and employment class actions, including cases involving refusals by companies to properly pay workers, would not satisfy these criteria.

Some provisions would make it even more difficult to bring race and gender discrimination class actions.

Other provisions would have a dramatic impact on cases against toxic polluters.

For example, arbitrary and unworkable standards for attorneys' fees undermine civil rights enforcement.

If a case is successful, the judge awards a reasonable fee based upon the time that the advocates have spent working on the case.

This method of determining attorneys' fees provides for consistent and predictable outcomes, which is a benefit to all parties in a lawsuit.

H.R. 985 would entirely displace this well-settled law with a standard long ago rejected as arbitrary and unworkable.

Under the bill, attorneys' fees would be calculated as a percentage of the value of the equitable relief. § 1718(b)(3).

But how is a judge to determine the cash value of an integrated school, a well-operating foster care system, the deinstitutionalization of individuals with disabilities, or myriad other forms of equitable relief secured by civil rights class actions?

Asking judges to assign a price tag in such cases is an impossible task and would lead to uncertainty and inconsistency.

Non-profit organizations cannot bear the risk of these long and expensive cases if, at the end, their fees are calculated under this incoherent and capricious standard.

Indeed, the bill creates an incentive for defendants to prolong the litigation so as to make it economically impossible for plaintiffs' attorneys to continue to prosecute the litigation.

In addition, by considering this bill now, Congress is circumventing the process that Congress itself established for promulgation of federal court rules under the Rules Enabling Act, bypassing both the Judicial Conference of the United States and the U.S. Supreme Court.

Civil rights class actions are often about systemic reforms that benefit the most vulnerable.

Interference with the proper federal court rules process is reckless and irresponsible, particularly when this proposal is so damaging to victims.

Mr. Chair, the only beneficiaries of the so-called FACT Act, are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers.

The FACT Act would force asbestos patients seeking any compensation from a private asbestos trust fund to reveal on a public web site private information including the last four digits of their Social Security numbers, and personal information about their families and children.

In fact, not a single asbestos victim has come forward in support of this legislation.

Worse, this bill would allow victims of asbestos exposure to be further victimized by requiring this information about their illness to be made publicly available to virtually anyone who has access to the Internet.

For example, the bill requires all payment demands, as well as, the names and exposure histories of each claimant—together with the basis for any payment the trust made to such claimants—to be publicly disclosed.

This sensitive information must be posted on the court's public docket, which is easily accessible through the Internet with the payment of a nominal fee.

Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with compensation for asbestos exposure.

Insurance companies, prospective employers, lenders, and predatory scam artists as well as the victim's neighbors would have access to this information.

Many of the people who would be hurt by the FACT Act are veterans, who are disproportionately affected by asbestos disease.

To address this serious failing of the bill, I offered an amendment which would ensure that the quarterly reports required under the FACT Act, contain only aggregate payment information.

My amendment also deletes the bill's burdensome discovery requirement.

As noted by the widow of our former colleague Congressman Bruce Vento who passed away from asbestos-induced mesothelioma, the bill's public disclosure of victims' private information: ''could be used to deny employment, credit, and health, life, and disability insurance.''

Mrs. Vento also warned that asbestos victims ''would be more vulnerable to identity thieves, con men, and other types of predators.''

Supporters of this legislation say that Bankruptcy Code section 107 will prevent such results.

But, they are wrong; this provision only permits—it does not require—the bankruptcy court to issue a protective order.

In fact, such relief may only be granted for cause if the court finds that ''disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual.''

What this means is that an asbestos victim would have to retain counsel and go to court in order to prove cause to obtain relief.

And, even though Bankruptcy Rule 9037 does require certain types of personal information to be redacted from a document filed in a bankruptcy case, said Rule would be overridden by this legislation, as written.

Accordingly, for these reasons and more, I oppose this harmful legislation.

The Acting CHAIR (Mr. JOYCE of Ohio). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–5. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 985

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*



***TITLE I—FAIRNESS IN CLASS ACTION LITIGATION***

***SEC. 101. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This title may be cited as the ''Fairness in Class Action Litigation Act of 2017''.*

*(b) REFERENCE.—Whenever, in this title, reference is made to an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 28, United States Code.*

*(c) TABLE OF CONTENTS.—The table of contents of this title is as follows:*



***SEC. 102. PURPOSES.***

*The purposes of this title are to—*

*(1) assure fair and prompt recoveries for class members and multidistrict litigation plaintiffs with legitimate claims;*

*(2) diminish abuses in class action and mass tort litigation that are undermining the integrity of the U.S. legal system; and*

*(3) restore the intent of the framers of the United States Constitution by ensuring Federal court consideration of interstate controversies of national importance consistent with diversity jurisdiction principles.*

***SEC. 103. CLASS ACTION PROCEDURES.***

*(a) IN GENERAL.—Chapter 114 is amended by inserting after section 1715 the following:*

***''§ 1716. Class action injury allegations***

*''(a) IN GENERAL.—A Federal court shall not issue an order granting certification of a class*

*action seeking monetary relief for personal injury or economic loss unless the party seeking to maintain such a class action affirmatively demonstrates that each proposed class member suffered the same type and scope of injury as the named class representative or representatives.*

*''(b) CERTIFICATION ORDER.—An order issued under Rule 23(c)(1) of the Federal Rules of Civil Procedure that certifies a class seeking monetary relief for personal injury or economic loss shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied.*

***''§ 1717. Conflicts of interest***

*''(a) REQUIRED DISCLOSURES.—In a class action complaint, class counsel shall state whether any proposed class representative or named plaintiff in the complaint is a relative of, is a present or former employee of, is a present or former client of (other than with respect to the class action), or has any contractual relationship with (other than with respect to the class action) class counsel. In addition, the complaint shall describe the circumstances under which each class representative or named plaintiff agreed to be included in the complaint and shall identify any other class action in which any proposed class representative or named plaintiff has a similar role.*

*''(b) PROHIBITION OF CONFLICTS.—A Federal court shall not issue an order granting certification of any class action in which any proposed class representative or named plaintiff is a relative of, is a present or former employee of, is a present or former client of (other than with respect to the class action), or has any contractual relationship with (other than with respect to the class action) class counsel.*

*''(c) DEFINITION.—For purposes of this section, 'relative' shall be defined by reference to section 3110(a)(3) of title 5, United States Code.*

***''§ 1718. Class member benefits***

*''(a) DISTRIBUTION OF BENEFITS TO CLASS MEMBERS.—A Federal court shall not issue an order granting certification of a class action seeking monetary relief unless the class is defined with reference to objective criteria and the party seeking to maintain such a class action affirmatively demonstrates that there is a reliable and administratively feasible mechanism (a) for the court to determine whether putative class members fall within the class definition and (b) for distributing directly to a substantial majority of class members any monetary relief secured for the class.*

*''(b) ATTORNEYS' FEES IN CLASS ACTIONS.—*

*''(1) FEE DISTRIBUTION TIMING.—In a class action seeking monetary relief, no attorneys' fees may be determined or paid pursuant to Rule 23(h) of the Federal Rules of Civil Procedure or otherwise until the distribution of any monetary recovery to class members has been completed.*

*''(2) FEE DETERMINATIONS BASED ON MONETARY AWARDS.—Unless otherwise specified by Federal statute, if a judgment or proposed settlement in a class action provides for a monetary recovery, the portion of any attorneys' fee award to class counsel that is attributed to the monetary recovery shall be limited to a reasonable percentage of any payments directly distributed to and received by class members. In no event shall the attorneys' fee award exceed the total amount of money directly distributed to and received by all class members.*

*''(3) FEE DETERMINATIONS BASED ON EQUITABLE RELIEF.—Unless otherwise specified by Federal statute, if a judgment or proposed settlement in a class action provides for equitable relief, the portion of any attorneys' fee award to class counsel that is attributed to the equitable relief shall be limited to a reasonable percentage of the value of the equitable relief, including any injunctive relief.*

***''§ 1719. Money distribution data***

*''(a) SETTLEMENT ACCOUNTINGS.—In any settlement of a class action that provides for monetary benefits, the court shall order class counsel to submit to the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts an accounting of the disbursement of all funds paid by the defendant pursuant to the settlement agreement. The accounting shall state the total amount paid directly to all class members, the actual or estimated total number of class members, the number of class members who received payments, the average amount (both mean and median) paid directly to all class members, the largest amount paid to any class member, the smallest amount paid to any class member and, separately, each amount paid to any other person (including class counsel) and the purpose of the payment. In stating the amounts paid to class members, no individual class member shall be identified. No attorneys' fees may be paid to class counsel pursuant to Rule 23(h) of the Federal Rules of Civil Procedure until the accounting has been submitted.*

*''(b) ANNUAL SETTLEMENT DISTRIBUTION REPORTS.—Commencing not later than 12 months after the date of enactment of this section, the Judicial Conference of the United States, with the assistance of the Director of the Federal Judicial Center and the Director of the Administrative Office of the United States Courts, shall annually prepare and transmit to the Committees on the Judiciary of the Senate and the House of Representatives for public dissemination a report summarizing how funds paid by defendants in class actions have been distributed, based on the settlement accountings submitted pursuant to subsection (a).*

***''§ 1720. Issues classes***

*''(a) IN GENERAL.—A Federal court shall not issue an order granting certification of a class action with respect to particular issues pursuant to Rule 23(c)(4) of the Federal Rules of Civil Procedure unless the entirety of the cause of action from which the particular issues arise satisfies all the class certification prerequisites of Rule 23(a) and Rule 23(b)(1), Rule 23(b)(2), or Rule 23(b)(3).*

*''(b) CERTIFICATION ORDER.—An order issued under Rule 23(c)(4) of the Federal Rules of Civil Procedure that certifies a class with respect to particular issues shall include a determination, based on a rigorous analysis of the evidence presented, that the requirement in subsection (a) of this section is satisfied.*

***''§ 1721. Stay of discovery***

*''In any class action, all discovery and other proceedings shall be stayed during the pendency of any motion to transfer, motion to dismiss, motion to strike class allegations, or other motion to dispose of the class allegations, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.*

***''§ 1722. Third-party litigation funding disclosure***

*''In any class action, class counsel shall promptly disclose in writing to the court and all other parties the identity of any person or entity, other than a class member or class counsel of record, who has a contingent right to receive compensation from any settlement, judgment, or other relief obtained in the action.*

***''§ 1723. Appeals***

*''A court of appeals shall permit an appeal from an order granting or denying class-action certification under Rule 23 of the Federal Rules of Civil Procedure.''.*

*(b) CONFORMING AMENDMENT.—The table of sections for such chapter is amended by inserting after the item pertaining to section 1715 the following:*

*''''Sec. 1716. Class action injury allegations.*
*''''Sec. 1717. Conflicts of interest.*
*''''Sec. 1718. Class member benefits.*
*''''Sec. 1719. Money distribution data.*
*''''Sec. 1720. Issues classes.*
*''''Sec. 1721. Stay of discovery.*
*''''Sec. 1722. Third-party litigation funding disclosure.*
*''''Sec. 1723. Appeals.''.*

***SEC. 104. MISJOINDER OF PLAINTIFFS IN PERSONAL INJURY AND WRONGFUL DEATH ACTIONS.***

*Section 1447 is amended—*

*(1) by redesignating subsection (d) as subsection (e);*

*(2) by redesignating subsection (e) as subsection (f); and*

*(3) by inserting after subsection (c) the following:*

*''(d) MISJOINDER OF PLAINTIFFS IN PERSONAL INJURY AND WRONGFUL DEATH ACTIONS.—*

*''(1) This subsection shall apply to any civil action in which—*

*''(A) two or more plaintiffs assert personal injury or wrongful death claims;*

*''(B) the action is removed on the basis of the jurisdiction conferred by section 1332(a); and*

*''(C) a motion to remand is made on the ground that one or more defendants are citizens of the same State as one or more plaintiffs.*

*''(2) In deciding the remand motion in any such case, the court shall apply the jurisdictional requirements of section 1332(a) to the claims of each plaintiff individually, as though that plaintiff were the sole plaintiff in the action.*

*''(3) The court shall sever the claims that do not satisfy the jurisdictional requirements of section 1332(a) and shall remand those claims to the State court from which the action was removed. The court shall retain jurisdiction over the claims that satisfy the jurisdictional requirements of section 1332(a).''.*

***SEC. 105. MULTIDISTRICT LITIGATION PROCEEDINGS PROCEDURES.***

*Section 1407 is amended by adding at the end the following:*

*''(i) ALLEGATIONS VERIFICATION.—In any coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), counsel for a plaintiff asserting a claim seeking redress for personal injury whose civil action is assigned to or directly filed in the proceedings shall make a submission sufficient to demonstrate that there is evidentiary support (including but not limited to medical records) for the factual contentions in plaintiff's complaint regarding the alleged injury, the exposure to the risk that allegedly caused the injury, and the alleged cause of the injury. The submission must be made within the first 45 days after the civil action is transferred to or directly filed in the proceedings. That deadline shall not be extended. Within 30 days after the submission deadline, the judge or judges to whom the action is assigned shall enter an order determining whether the submission is sufficient and shall dismiss the action without prejudice if the submission is found to be insufficient. If a plaintiff in an action dismissed without prejudice fails to tender a sufficient submission within the following 30 days, the action shall be dismissed with prejudice.*

*''(j) TRIAL PROHIBITION.—In any coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), the judge or judges to whom actions are assigned by the Judicial Panel on Multidistrict Litigation may not conduct any trial in any civil action transferred to or directly filed in the proceedings unless all parties to the civil action consent to trial of the specific case sought to be tried.*

*''(k) REVIEW OF ORDERS.—*

*''(1) IN GENERAL.—The Court of Appeals having jurisdiction over the transferee district shall permit an appeal to be taken from any order issued in the conduct of coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b), provided that an immediate appeal from the order may materially advance the ultimate termination of one or more civil actions in the proceedings.*

*''(2) REMAND ORDERS.—Notwithstanding section 1447(e), a court of appeals may accept an appeal from an order issued in any coordinated or consolidated proceedings conducted pursuant to subsection (b) granting or denying a motion to remand a civil action to the State court from which it was removed if application is made to the court of appeals within 14 days after the order is entered.*

*''(l) ENSURING PROPER RECOVERY FOR PLAINTIFFS.—The claimants in any civil action asserting a claim for personal injury transferred to or directly filed in coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b) shall receive not less than 80 percent of any monetary recovery obtained in that action by settlement, judgment or otherwise. The judge or judges to whom the coordinated or consolidated pretrial proceedings have been assigned shall have jurisdiction over any disputes regarding compliance with this requirement.''.*

***SEC. 106. RULEMAKING AUTHORITY OF SUPREME COURT AND JUDICIAL CONFERENCE.***

*Nothing in this title shall restrict in any way the authority of the Judicial Conference and the Supreme Court to propose and prescribe general rules of practice and procedure under chapter 131 of title 28, United States Code.*

***SEC. 107. EFFECTIVE DATE.***

*The amendments made by the title shall apply to any civil action pending on the date of enactment of this title or commenced thereafter.*

***TITLE II—FURTHERING ASBESTOS CLAIM TRANSPARENCY***

***SEC. 201. SHORT TITLE.***

*This title may be cited as the ''Furthering Asbestos Claim Transparency (FACT) Act of 2017''.*

***SEC. 202. AMENDMENTS.***

*Section 524(g) of title 11, United States Code, is amended by adding at the end the following:*

*''(8) A trust described in paragraph (2) shall, subject to section 107—*

*''(A) file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court's public docket and with respect to such quarter—*

*''(i) describes each demand the trust received from, including the name and exposure history of, a claimant and the basis for any payment from the trust made to such claimant; and*

*''(ii) does not include any confidential medical record or the claimant's full social security number; and*

*''(B) upon written request, and subject to payment (demanded at the option of the trust) for any reasonable cost incurred by the trust to comply with such request, provide in a timely manner any information related to payment from, and demands for payment from, such trust, subject to appropriate protective orders, to any party to any action in law or equity if the subject of such action concerns liability for asbestos exposure.''.*

***SEC. 203. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.***

*(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this title.*

*(b) APPLICATION OF AMENDMENTS.—The amendments made by this title shall apply with respect to cases commenced under title 11 of the United States Code before, on, or after the date of the enactment of this title.*

The ACTING Chair. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115–29. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115–29.

Mr. GOODLATTE. Mr. Chairman, I have amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 12, strike ''of,'' and all that follows through line 15, and insert ''or employee of''.

Page 4, insert after line 19 the following:

''(d) EXCEPTION.—This section shall not apply to a private action brought as a class action that is subject to section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)) or section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)).''.

Page 8, line 14, add at the end the following: ''This section shall not apply to a private action brought as a class action that is subject to section 27(a) of the Securities Act of 1933 (15 U.S.C. 77z–1(a)) or section 21D(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u–4(a)).''.

Page 9, line 6, strike ''amended—'' and all that follows through line 12 and inserting the following: ''amended by inserting after subsection (e) the following:''.

Page 9, line 13, strike ''(d)'' and insert ''(f)''.

Page 9, line 16, insert ''commenced in a State court'' before ''in which''.

Page 10, line 2, strike ''defendants'' and insert ''plaintiffs''.

Page 10, line 3, strike ''plaintiffs'' and insert ''defendants''.

Page 10, line 9, strike ''The court'' and insert ''Except as provided in paragraph (4), the court''.

Page 10, line 14, insert after ''section 1332(a).'' the following:

''(4) The court shall retain jurisdiction over a claim that does not satisfy the jurisdictional requirements of section 1332(a) if—

''(A) the claim is so related to the claims that satisfy the jurisdictional requirements of section 1332(a) that they form part of the same case or controversy under Article III of the United States Constitution; and

''(B) the plaintiff consents to the removal of the claim.''.

Page 11, line 7, strike ''30 days'' and insert ''90 days''.

Page 11, line 19, strike ''any trial in any civil action'' and insert ''a trial in a civil action''.

Page 11, line 21, strike ''to the civil action'' and insert ''to that civil action''.

Page 11, line 21, strike ''to trial of'' and all that follows through ''to be tried'' on line 22.

Page 12, line 4, insert after ''provided that'' the following: ''the order is applicable to one or more civil actions seeking redress for personal injury and that''.

Page 12, line 8, strike ''1447(e)'' and insert ''1447(d)''.

Page 12, strike line 15, and all that follows through ''requirement.'' on line 25, and insert the following:

''(l) ENSURING PROPER RECOVERY FOR PLAINTIFFS.—A plaintiff who asserts personal injury claims in any civil action transferred to or directly filed in coordinated or consolidated pretrial proceedings conducted pursuant to subsection (b) shall receive not less than 80 percent of any monetary recovery obtained for those claims by settlement, judgment, or otherwise, subject to the satisfaction of any liens for medical services provided to the plaintiff related to those claims. The judge or judges to whom the coordinated or consolidated pretrial proceedings have been assigned shall have jurisdiction over any disputes regarding compliance with this requirement.''.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, the manager's amendment makes several technical changes to the bill, none of which alter its basic policy, but all of which add clarity to the bill where necessary.

First, in the section of the bill governing conflicts of interest, this amendment strikes the prohibition on the use of the same class counsel if the named plaintiff is a present or former client or has a contractual relationship with the class counsel. In some instances, those restrictions may unduly limit the availability of class counsel or class representatives, so this amendment would remove them. It also clarifies that nothing in the conflicts of interest section of the bill applies to securities class actions, which have their own provisions for selection of class representatives and counsel elsewhere in the U.S. Code. The same exemption for securities class actions is made to the stay of discovery section of the bill because, again, securities class actions have their own discovery stay provisions elsewhere in the U.S. Code.

Second, the amendment makes technical changes to the misjoinder section of the bill, making clear it applies only to civil actions commenced in State court and subsequently removed to Federal court, and that a Federal court can retain jurisdiction over claims that are so related to each other that they form part of the same case and controversy under Article III of the Constitution, and the plaintiff consents to the removal of the claim.

Third, the amendment extends from 30 days to 90 days the amount of time for Federal courts to review the sufficiency of the allegations verification submissions made in the section on multidistrict litigation. The amendment also makes clear that a particular case may not be tried in a multidistrict proceeding unless all parties in that particular case consent—not all parties in the entire multidistrict proceeding. And it also makes clear in the section providing that the claimant shall not receive less than 80 percent of any monetary recovery, that such section does not alter the claimant's obligations to satisfy liens on the recovery—that is, debts owed to the Federal Government or to private insurers—for medical services received by the claimant for the treatment of the injuries alleged in the litigation. So, for example, if a person took a medicine and alleges he suffered injury as a result, a Federal program may

have paid for the treatment of the injury. If the person gets a settlement of his claim, it would include money for those medical services that should be paid back to the Federal Government. The revision makes clear that the satisfaction of such liens should come out of the 80 percent received by the claimant. The amendment also makes clear that the authorization for appeals from orders in MDL proceedings is limited to cases seeking redress for personal injury.

Mr. Chairman, I urge my colleagues to join me in supporting these clarifying and improving amendments, and I reserve the balance of my time.

Mr. RASKIN. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. RASKIN. Mr. Chairman, I rise in opposition to the manager's amendment to H.R. 985 with all due deference to the chair of our committee.

Although the amendment makes a number of mostly technical amendments to the bill, it still fails to address the numerous fundamental flaws that we have identified in the underlying legislation, which is a dagger pointing at the heart of class action lawsuits in America.

The major substantive change that I noted under the manager's amendment was that class certification would still be prohibited when a named plaintiff or class representative is a relative or employee of the class counsel, but made some other changes narrowing the scope of the conflict of interest provision slightly. The amendment still fails to address the fundamental problem with that provision, which is that there is no justification for concluding that the specified relationships are, per se, problematic or that class certification should be denied just because such a relationship exists.

The general problem pervading the legislation remains. The first is a procedural problem, which we have identified.

I was delighted that the gentleman from Texas (Mr. FARENTHOLD) responded to our complaint that we had had no hearings on the bill. In response to that, he directed my attention to a hearing that took place in 2011, 6 years ago.

There are nine members of the Judiciary Committee who just joined this year and many dozens of Members who have joined the House since 2011. It is true that we could go back and read it within the 24 hours we had to do that before the markup took place. We could also go back and just read at that point the Constitution of the United States, which guarantees to everybody a jury trial which attempts to establish civil justice in America.

What we are getting instead is an attempt to put class action lawsuits and civil liability into a straitjacket. It is an attempt to make it far harder for people to see their rights vindicated when they have been violated by an auto manufacturer, someone who is putting asbestos into materials that are being used near servicemembers, those who are selling poisonous breast implants, and so on.

I am rising in opposition to the amendment simply because it does nothing to answer the many massive objections leveled against this legislation by consumer groups like the Consumer Federation of America, by groups defending civil justice, like the Alliance for Justice, and indeed by the Judicial Conference of the United States and the American Bar Association, both of which strongly oppose this legislation because they do not think it is warranted. They don't think that it responds to any problems that are really out there.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

□ 1645

AMENDMENT NO. 2 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115–29.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, strike line 22, and insert the following: ''In a class action''.

Page 4, strike line 9, and all that follows through line 19.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, the right to choose one's own counsel is a basic right in our democracy. This is a right that is a foundation of a fair and impartial judicial system.

Having the right to choose one's own attorney ensures that a person can hire an attorney who will best represent their interests and protect their rights in the judicial process.

H.R. 985, the Fairness in Class Action Litigation Act, undermines this basic right by requiring a court to deny any class action certification based solely on a proposed class representative or named plaintiff being represented by a family member. The bill provides no discretion to the court and no exceptions.

The bill uses an expansive definition that includes not only immediate family members, but extended parts of a family tree by blood and marriage. Such a broad definition is an unfair restriction on the right to an attorney of one's own choosing.

Previously, the manager's amendment modified this provision but did not relieve these concerns. Such broad, blanket assumptions about family relationships fail to recognize the importance of trust and expertise into the attorney-client relationship.

In many instances, a family member will best represent their interests in court or could have specialized training and experience relevant to the case, yet the language in this bill does not provide for any discretion or any exceptions.

The fact that a lawyer representing a potential class is a family member of a named class member does not, in itself, create a conflict of interest; and under current law, there is a process for courts to address real conflicts of interest when they arise.

Under the Federal Rules of Civil Procedure Rule 23(g), courts have an extensive list that must be satisfied when appointing counsel to represent a class. There also already is a strong disincentive against conflicts through fairness hearings after settlement is reached. Any potential conflict of interest risks spoiling the agreement and wasting the efforts of counsel and the class.

Removing the discretion of the courts is overly broad and will remove access to appropriate counsel where no conflict exists. I urge strong support for my amendment and the removal of this provision from this bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment should be defeated. Abraham Lincoln left behind pages of notes on a lecture he was to give to lawyers. They say: ''Never stir up litigation. A worse man can scarcely be found than one who does this. Who can be more nearly a fiend than he who habitually overhauls the register of deeds in search of defects in titles, whereon to stir up strife and put money in his pocket?''

That was Lincoln in the 1850s. Here is Forbes Magazine just a couple of years ago:

The lead plaintiff in the 5-Hour case . . . worked in marketing for a cosmetic surgery center in California. But in a grueling 5-hour deposition, she admitted she had been recruited to serve as a plaintiff by her cousin, who worked for a Texas lawyer; had purchased two bottles of 5–Hour ENERGY specifically to sue the manufacturer; had never complained to the company or sought a refund; and had signed a backdated retainer agreement with the trial lawyer, Rubinstein, the fellow seen here at his own deposition. . . . Another one of Rubinstein's clients . . . admitted she had served as a plaintiff for Rubinstein in at least four class actions over products like Swanson pot pies and lipstick. . . . Emails and other communications 5–Hour's lawyers uncovered in their suit showed that Rubinstein belonged to a loose affiliation of lawyers who ran an assembly-line process of identifying companies to sue and then helping each other find plaintiffs.

Lawsuits are supposed to be initiated by truly injured plaintiffs seeking redress, not invented by lawyers who hunt for a plaintiff to assert a supposed injury made up by the lawyer.

Few class members bother to collect the payments available in class action settlements, in large part because they don't feel injured by the supposedly wrongful conduct in the first place.

In too many cases, trial lawyers come up with an idea for a lawsuit and then search for a person who has bought the product, or they send a relative or employee to buy the product so they will have someone who can sue on behalf of a proposed class of all other buyers. No product purchaser has actually complained or feels cheated; it is just lawyers in pursuit of money. That is a major reason why so few class members bother to collect the payments available in class action settlements. They don't feel injured by the supposedly wrongful conduct in the first place.

This abuse of the class action lawyer-driven lawsuits must end. The base bill, therefore, requires lawyers to disclose how proposed class representatives became involved in the class action. Further, it prohibits class actions in which any proposed class representative, that is, a named plaintiff that will be representing everyone else in the class action, is a relative of or an employee of the class action lawyer.

Further clarifications making clear that this provision will not apply to present or former clients of, or those who have had any contractual relationship with, class counsel have already been made to the bill in the manager's amendment. The only prohibition that remains in the bill is the bar on class counsel using a relative or employee as a class representative. Clearly, that shouldn't be permitted.

The class representative is supposed to be representing the class interests, to independently ''be the client'' for the class, and tell counsel what to do. That independence will be gone if the class representative is a relative or employee of the class counsel. This amendment should be defeated.

Mr. Chairman, I yield back the balance of my time.

Mr. DEUTCH. Mr. Chairman, I urge my colleagues to adopt this important amendment to ensure that they have an opportunity to be heard when they are injured by an attorney of their choice.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115–29.

Mr. DEUTCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike line 1 and all that follows through line 8.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chairman, freedom of speech, freedom of religion, the right to vote, the right to be free from cruel and unusual punishment, and other rights enumerated in the Constitution have an intrinsic value that cannot be adequately expressed in dollars and cents. When a person's constitutional rights are violated, they cannot be made whole entirely with money, and yet the bill that we have before us today would require our judicial system to hang a price tag on our most cherished constitutional rights.

Under H.R. 985, the Fairness in Class Action Litigation Act, if a ''judgment or proposed settlement in a class action provides for equitable relief, the portion of any attorney's fee award to class counsel that is attributed to the equitable relief shall be limited to a reasonable percentage of the value of the equitable relief, including any injunctive relief.''

Mr. Chairman, when a court grants such relief, it is not awarding money to a plaintiff. In these cases, the courts are stepping in to say this is a violation of constitutional rights and it must stop.

My amendment would strike the provision in this bill that would devalue our fundamental rights by requiring a highly subjective and wasteful, costly, and demeaning process of putting a price tag on these rights. Worse, it would deter attorneys from bringing critical civil lawsuits that reform systemic and widespread violations of individual rights.

When we think of class actions, we usually imagine a group of people seeking money to compensate them for an injury or a harm—a toxic spill, a horrific accident, an Erin Brockovich-type story. But the reality is that there are many class actions that do not seek monetary damages but are fighting to right a systemic wrong in our society.

These class actions have made lasting changes to our legal system and society that have moved our country closer to equality and justice, landmark class actions such as: Brown v. Board of Education, ending separate but equal as a basis for racial segregation in our schools; Allen v. State Board of Elections, finding that section 5 of the Voting Rights Act requires preclearance of any changes in voting practices; and Alexander v. Holmes County School District, requiring immediate integration of the schools. In these cases, plaintiffs asked the courts to protect and preserve their constitutional rights for themselves and others in similar situations in the future.

Under the system set forward by H.R. 985, a court would have to also set a dollar value to the judgment. How do you place a price tag on desegregating our Nation's public schools? How do you place a price tag on protecting the right to vote? How do you put a price tag on preserving the Constitution's Sixth Amendment right to counsel? How do you put a price tag on the fundamental right of marriage? It is not possible. These are fundamental, constitutional rights, and these rights are priceless.

If this bill were to become law, courts and civil cases would become bogged down in ancillary litigation aimed at establishing the value of rights, rights that are protected through equitable and injunctive relief. It would be a mess, and we don't have to make this unforced error.

I oppose the underlying bill, but it is my sincere hope that, if the House is going to pass it, the least that we can do is remove this provision from the bill and end this insulting pretense that the courts or anyone else can put a dollar value on our constitutional freedoms.

I urge support for my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment should be defeated.

Insofar as a class action seeks equitable relief, that is, the nonmonetary relief, including any injunctive relief that seeks to stop the defendant from doing something wrong, the portion of any class action lawyer's fee should be limited to a reasonable percentage of the value of that relief as determined by the court.

This provision won't affect fee awards in civil rights cases because both the monetary and equitable relief attorney's fees provision in this bill are qualified with the initial phrase, ''unless otherwise specified by Federal statute.''

The Civil Rights Attorney's Fee Award Act of 1976 allows a court, in its discretion, to award reasonable attorney's fees as part of the costs to a prevailing party in Federal civil rights lawsuits, including cases brought under 28 U.S.C. section 1983, the statute most commonly used to assert civil rights claims. Consequently, this bill won't affect attorney's fees in civil rights class actions at all.

Regarding other equitable relief cases that don't involve civil rights claims, Federal courts routinely determine the value of intangible relief such

as equitable or injunctive relief for purposes of determining whether the amount in controversy requirement—currently, $75,000 to get into court—is met.

A majority of courts consider only the value of the injunctive relief from the plaintiff's perspective or viewpoint. Some courts determine the jurisdictional amount by evaluating the claim from the perspective of the party seeking Federal court jurisdiction. Others have adopted the ''either viewpoint'' rule, which allows the court to look to either the plaintiff's or the defendant's viewpoint in establishing the amount in controversy in cases seeking some form of injunctive relief.

The bottom line is that, under this bill, Federal courts will be able to use either approach in deciding the value of the injunctive relief provided to class members; and generally speaking, counsel should be paid on the basis of what lawyers actually deliver to their clients.

This base bill, of course, does not alter in any way the relief that would be granted to equitable relief class action members. It only limits the fees attorneys would receive to a reasonable percentage of the value of what the class members actually received. So all this amendment would do would be to put more money in the hands of lawyers and less in the hands of victims.

I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. DEUTCH. Mr. Chairman, section 1983 that my friend, the chairman, refers to as to providing attorney's fees, requires a determination of attorney's fees by the number of hours reasonably expended on litigation multiplied by a reasonable hourly fee.

□ 1700

This bill is very different from that. Instead of referring to hours and an hourly rate reasonably spent by an attorney, this bill requires the court to establish the value of the actual, equitable, or injunctive relief.

As I have suggested already, I cannot think of anyone who would believe that we should leave it up to a court to put a value on our constitutional rights that are, without question, priceless in our democracy.

Mr. Chairman, I urge my colleagues to support this good amendment, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, constitutional rights are priceless, but attorney's fees have to be set by the court. Who else is going to set them in those cases?

I want to correct the gentleman, again, on this point about section 1983 cases because this bill says very clearly: unless otherwise specified by Federal statute.

So this bill is not affected by the very example that he cites because that is something that is otherwise specified by Federal statute.

Mr. Chairman, I urge my colleagues to oppose this needless and harmful amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEUTCH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. SOTO

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115–29.

Mr. SOTO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, strike line 7 and all that follows through line 14 (and amend the amendment to the table of contents on page 9 after line 3 accordingly).

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Florida (Mr. SOTO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOTO. Mr. Chairman, my amendment would strike section 1721 of this Fairness in Class Action Litigation Act of 2017. The irony of section 1721 is it unfairly subjects class action plaintiffs to an inevitable deluge of prolonged delay.

A stay of discovery means no depositions. It means injured people will not get essential documents. It means victims will not be entitled to the names of necessary witnesses and more as long as a motion that may dispose of the case is pending. There is nothing to prevent a corporation from filing motion after motion to obstruct a victim's path to justice.

Numerous consumer, civil rights, environmental, labor, and other public interest groups oppose this bill because it builds in an automatic stay of discovery in the district court whenever an alleged wrongdoer files any one of a list of motions, including common motions like a motion to strike, a motion to dismiss, and a motion to dispose of class action allegations. There will be no end to the filing of these motions. This is an invitation for gamesmanship and delay and will deprive judges of the ability to properly manage their cases.

The framers of the bill want you to believe that plaintiffs are greedy, undeserving people who want to hinder small business. This could not be further from the truth. If there are big settlements, it is because the damage to the victims was heinous.

Is there any doubt that huge corporations would file motion after motion to obstruct these victims from getting the facts they need?

Class actions are critical for enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services.

At the end of the day, if we are trying to reduce litigation, why have this glaring loophole where someone continues to file motions to stop ordinary discovery from going forward?

Mr. Chairman, I urge Members to support my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. BYRNE). The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment should be rejected. The discovery process—the pretrial process in a lawsuit in which trial lawyers demand documents and other things from the people they are suing—imposes huge costs on defendants, particularly because of the astronomical costs associated with the discovery of electronic information, such as emails.

Law Technology News has reported that the total cost of electronic discovery rose from $2 billion in 2006 to $2.8 billion in 2009 and estimated that the total cost would rise 10 to 15 percent annually over the next few years. In a more recent case study of Fortune 500 companies, the RAND Institute found that the median total cost for electronic discovery among participants totaled $1.8 million per case.

These costs are asymmetric. While defendants typically are subject to gigantic discovery costs, because they are large organizations possessing large amounts of data, plaintiffs have little information in their possession, and, therefore, are subject to a very small financial burden during the discovery process.

Moreover, discovery conducted before a motion to dismiss is decided is unfair. Why should defendants bear the burden of paying for discovery before a complaint is held legally sufficient, especially when the threat of huge costs may coerce an unjustified settlement?

The reality for most civil litigation is that the defendants' obligation to bear these exorbitant discovery costs incentivizes plaintiffs to serve burdensome discovery requests on defendants with zero downside risk to themselves. As professor Martin Redish has explained: ''The fact that a party's opponents will have to bear the financial burden of preparing the discovery response actually gives litigants an incentive to make discovery requests, and the bigger expense to be borne by the opponent, the bigger incentive to make the request.''

Because defendants seek to avoid these exorbitant costs, discovery is all too often used as a weapon to coerce settlement of claims regardless of their

merit. Even the Supreme Court has recognized this problem, lamenting that the threat of discovery expense will push cost-conscious defendants to settle even anemic cases before reaching trial.

For example, assume that a defendant moves to dismiss a class action because it doesn't assert any valid claims. Under current law, the named plaintiff can serve massive discovery requests that force defendants to spend $10 million to collect the requested documents. A rational decision for that defendant is to settle the case for millions, even if 4 months later the court grants the motion to dismiss, finding the class claims to be totally without merit. That is because, without a stay in discovery, the defendants will, in the meantime, have been required to spend all or part of the $10 million costs complying with the discovery requests for, it turns out, no legitimate reason. Trial lawyers pursue discovery in this circumstance primarily in an effort to pressure the defendant to settle invalid claims.

The subsection of the bill entitled ''Stay of discovery'' would stop the use of discovery to coerce unjustified settlements by requiring Federal courts to stay discovery pending resolution of rule 12 motions—that is, motions to dismiss for failure to state a claim—motions to strike class allegations, motions to transfer, and other motions that would dispose of class allegations unless the court finds that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to a party.

Mr. Chairman, this amendment should be defeated, and I reserve the balance of my time.

Mr. SOTO. Mr. Chairman, even if we included motions to dismiss in the stay, which are at the beginning of the case because they are dispositive motions, there are still motions to strike that are left in this bill.

After surviving a motion to dismiss, motions to strike are regularly filed. Anybody who has had any time in the courtroom know they can be filed over and over and over again. There is no limit of them under the Federal Rules of Civil Procedure. So simply by filing motion to strike after motion to strike, a defendant can continue to delay justice; and justice delayed is justice denied.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, the gentleman will be pleased to know that tomorrow we will consider on the floor of this House legislation that, under rule XI, would impose mandatory sanctions on attorneys who engage in the type of activity he just described. That is an abuse as well. It will be covered by that legislation. But this legislation is appropriate to make sure that justice is done in class action litigation.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOTO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SOTO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–29.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 21, insert after ''Civil Procedure.'' the following (and amend the amendment to the table of contents on page 9 after line 3 accordingly):

**''§ 1724. Applicability**

''Sections 1716 through 1723 shall not apply in the case of any civil action alleging fraud.''.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment ensures the draconian class action rules created by H.R. 985 do not apply to cases alleging fraud.

Corporate malfeasance and fraudulent practices are an ongoing problem facing American consumers. We saw this firsthand with the recent Wells Fargo case. In response to the company creating over 2 million phony bank and credit card accounts, thousands of account holders certified as a class to hold Wells Fargo accountable in court. However, under H.R. 985's new requirements, this class action would have been stopped dead in its tracks at the certification phase. This is because the bill does not clearly define exactly how similar the scope and how similar the type of injury a class member must suffer. Since each individual Wells Fargo account holder endured varying degrees of financial harm from the company's unauthorized actions, it is unclear if the victims would be considered a class under these new rules.

The Volkswagen Dieselgate scandal is another example of a fraud case that would be at risk under these new rules. The German company defrauded thousands of consumers by selling cars that did not meet EPA emissions standards. The cars were, instead, fitted with illegal defeat software, which allowed them to pass routine emissions tests while still producing up to 35 times the legal limits of nitrogen oxides. A new MIT study found that the excess emissions generated by these cars between 2008 and 2015 will cause 1,200 premature deaths in Europe and 60 in the United States. This is in addition to the thousands of consumers who faced financial loss because they owned these defective vehicles that they could not trade in or sell.

As part of the class action settlement, consumers were able to recoup their losses through a buyback program. As currently drafted, H.R. 985 would have made such a settlement unlikely because of the restrictions on cases involving financial injuries.

Finally, we have the notorious and infamous Trump University class action. Class certification was granted for the thousands of students who were hurt by the President's allegedly fraudulent for-profit scheme. Over 7,000 students were eligible for the class action because they were cheated into thinking they would become the next big real estate mogul. Instead, students lost thousands of dollars and wasted valuable time at this joke of a school.

To avoid any admission of wrongdoing or face an embarrassing trial, the President and the now-defunct Trump University opted for a $25 million settlement. Because of the impossible certification requirements in H.R. 985, it is safe to assume that Trump University's lawyers would have had a field day dismantling this class action from the very beginning of the litigation.

Earlier this week, it was reported in The New York Times that one of the students is opting out of the settlement, and if this bill passes, the risk will be that the class action could fall apart to the benefit of President Trump.

□ 1715

Knowing how litigious our President is, this outcome is highly likely, as H.R. 985 applies not just to future cases but, suspiciously, pending ones as well—an almost unheard of clause to include in legislation.

We cannot allow corporations, whether foreign or domestic, whether controlled by an unnamed board or by the President of the United States, to defraud consumers without facing accountability. My amendment looks to protect Americans in such cases and allows them to move forward in the courts as part of a class action.

Mr. Chairman, I ask my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment would subject certain class members to unfair treatment and should be rejected.

The purpose of a class action is to provide a fair means of evaluating like

claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement value. Exempting a subset of cases from the bill, as this amendment would do, would serve only to incentivize the creation of artificially large classes to extort larger and unfair settlements from innocent parties for the purpose of disproportionately awarding uninjured parties.

Why should only the claimants covered by the amendment be subject to particularly unfair treatment by being allowed to be forced into a class action with other uninjured or minimally injured members, only to see their own compensation reduced? This does a disservice to those claimants. Yet, that is exactly what this amendment would do.

Regardless of the subject matter, class action plaintiffs are increasingly inclined to include fraud claims in their complaints. If they are suing about an allegedly defective product, they will add fraud claims, alleging that the manufacturer committed fraud by not disclosing the defect. If they are suing for a breach of contract, they will add fraud allegations, saying that the defendant didn't disclose the alleged breach, and so on and so forth.

Thus, this amendment would effectively gut the entire bill, since, to avoid its important reforms, class action lawyers would simply add fraud claims to their complaints, as they are increasingly prone to do in any event.

Regarding the Volkswagen case, some opponents have urged that, if enacted, the base bill would have prevented the filing of the class actions related to the Volkswagen diesel emission controversy. Those assertions are false.

This bill's injury provision would be readily satisfied in the VW cases, as class members presumably would argue that they have been injured by their purchase of vehicles with noncompliant emission systems.

Further, if the scope or type of injury differed among class members, separate class actions could be filed for each group, as actually occurred with respect to differing models in the Volkswagen MDL proceeding.

The bill's requirement about class representative disclosures would be easily satisfied. Many class members are interested in the litigation and presumably ready to serve as conflict-free class representatives who would not run afoul of these provisions.

The bill's ascertainability provisions would pose no obstacles because vehicle registration records would provide reliable class member lists and counsel could easily demonstrate a method to get any relief to class members.

Requiring that payment of counsel fees await distribution of class benefits and that fees reflect a reasonable percentage of benefits actually received by class members would not impede bringing such cases.

The cases would be litigated without resort to issues classes. Disclosure of any third-party litigation funding of the class actions wouldn't preclude such cases. The provision doesn't prohibit such funding. Only disclosure is required. Staying discovery while motions to dismiss are pending also poses no roadblock.

Mr. Chairman, again, I urge my colleagues to defeat this gutting amendment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, protecting big, multinational corporations from fraud claims is not only unfair, it is odious. If you can't hold a big, multinational corporation accountable for fraud, then your money is at risk, your health is at risk, and the lives of innocent people are at risk.

Mr. Chairman, I ask that all of my colleagues support this amendment, which protects the American people from fraud.

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I would just say to the gentleman that there is nothing in this bill that would restrict access to class actions based upon fraud claims. And in fact, this bill is designed to maximize the recovery for those fraud victims, rather than lining the pockets of attorneys.

Mr. Chairman, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115–29.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 25, insert after ''Civil Procedure.'' the following (and amend the amendment to the table of contents on page 9 after line 3 accordingly):

**''§ 1724. Applicability**

''Sections 1716 through 1723 shall not apply in the case of any civil action alleging a violation of a civil right.''.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I rise in support of my amendment, which would exempt H.R. 985's unnecessary and burdensome class action provisions all class actions asserting civil rights claims.

Class actions are an important litigation tool that consumers, workers, and anyone else who has suffered injury can use to vindicate their rights. They are also a critical mechanism for enforcing public policy and are especially key in the enforcement of Federal civil rights laws.

For instance, plaintiffs in employment discrimination cases who seek backpay because of an adverse employment decision often pursue class actions because such cases tend to be the kind that are well-suited for class treatment. These cases typically concern multiple victims who were subjected to the same discriminatory employment practice or policy.

While damages awarded pursuant to a single plaintiff may not be large enough to deter the employer's alleged wrongdoing, aggregate damages awarded to plaintiffs as a result of class action would have a deterrent effect.

Unfortunately, this bill, H.R. 985, requires class action plaintiffs to prove at the certification stage that every potential class member suffered the same type and same scope of injury, a requirement that is obviously virtually impossible and cost prohibitive to meet.

This onerous requirement would effectively deter employment discrimination and other civil rights plaintiffs from proceeding with any class action.

As if this provision were not onerous enough, H.R. 985 would also harm civil rights plaintiffs by making it virtually impossible to pursue class actions pursuant to Rule 23(c)(4) of the Federal Rules of Civil Procedure.

All Federal appeals courts interpret that provision as allowing courts to certify a class limited to one issue in a case, such as liability, without having to certify a putative class for the entire cause of action.

Allowing courts to decide common questions within a case, while permitting other issues to be determined on an individual basis, would promote judicial efficiency, which is also one of the principal benefits of class actions.

H.R. 985, however, would prohibit certification of such ''issue'' class actions unless the putative class for the entire cause of action is certified, which would only further delay and possibly deny justice for plaintiffs.

This provision would have a particularly devastating impact on civil rights class actions that often can only be maintained as to particular issues, such as liability.

Indeed, for these, and many other reasons, including the bill's mandatory appeals provision, its automatic stay of discovery, and its draconian and unworkable standards for setting attorneys' fees, 123 civil rights groups and organizations have written a letter to the Judiciary Committee in strong opposition to H.R. 985, which I include in the RECORD.

MARCH 7, 2017.

Re Strong Opposition to H.R. 985—Section 2.

Hon. PAUL RYAN,
*Speaker, House of Representatives,*
*Washington, DC.*
Hon. NANCY PELOSI,
*Minority Leader, House of Representatives,*
*Washington, DC.*

DEAR SPEAKER RYAN AND LEADER PELOSI: We understand that the House will soon consider H.R. 985, the ''Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015.'' The 123 signatory civil rights organizations and advocates write to strongly oppose Section 2 of H.R. 985. The bill will undermine the enforcement of this nation's civil rights laws and upend decades of settled class action law. This sweeping and poorly drafted legislation will create needless chaos in the courts without actually solving any demonstrated problem. In this letter, we highlight the most egregious of its many harms.

As advocates for the marginalized and often invisible members of our society, we write to remind House members that class actions are critical for the enforcement of laws prohibiting discrimination in employment, housing, education, and access to public areas and services. As the Supreme Court has recognized, class actions provide ''vindication of the rights of groups of people who individually would be without effective strength to bring their opponents into court at all.'' Amchem Products, Inc. v. Windsor, 521 U.S. 591, 617 (1997). Courts have interpreted Rule 23 of the Federal Rules of Civil Procedure, the federal class action rule, over decades and the Advisory Committee on Civil Rules has, through its deliberative process, reviewed and amended the rule to ensure its fair and efficient operation. No further revisions are needed at this time.

H.R. 985 ADDS YEARS OF ADDITIONAL DELAY, EXPENSE, AND DISRUPTION

One of the stated purposes of the bill is to ''assure . . . prompt recoveries,'' yet it includes provisions that will extend the duration of cases by years and add exponentially to the expense on both sides.

The bill allows for an automatic appeal—in the middle of every case—of the class certification order. Such appeals are extraordinarily disruptive and typically add one to three years to the life of the case. While the case sits in an appellate court, expenses and fees rise, memories fade, and injured victims remain without justice. Automatic appeals of all class certification orders will clog our already-taxed Courts of Appeals. Appeals of class certification rulings are already permitted at the discretion of the Courts of Appeals. An appeal of every class certification ruling is unnecessary.

The bill similarly builds in an automatic stay of discovery in the district court whenever an alleged wrongdoer files any one of a list of motions. This is an invitation for gamesmanship and delay, and will deprive judges of the ability to properly manage their cases.

The bill, by its terms, applies to all cases pending upon the date of enactment. This means that hundreds of cases that have been litigated and certified under existing law would start from scratch with new standards, new class certification motions, and new automatic interlocutory appeals. The resulting waste of judicial resources would be enormous.

CIVIL RIGHTS INJURIES ARE NEVER IDENTICAL AND ARE ALREADY SUBJECT TO RIGOROUS JUDICIAL REVIEW

H.R. 985 imposes a new and impossible hurdle for class certification. It requires that the proponents of the class demonstrate that ''each class member has suffered the same type and scope of injury.'' At this early stage of a civil rights class action, it is frequently impossible to identify all of the victims or the precise nature of each of their injuries.

But even if this information were knowable, class members' injuries would not be ''the same.'' As a simple example, those overcharged for rent will have different injuries. In an employment discrimination class action, the extent of a class member's injuries will depend on a range of factors, including their job position, tenure, employment status, salary, and length of exposure to the discriminatory conditions. For this reason, nearly forty years ago, the Supreme Court developed a two-stage process for such cases in International Brotherhood of Teamsters v. U.S., 431 U.S. 324, 371–72 (1977). In the first stage, the court determines whether the employer engaged in a pattern or practice of discrimination. If the employer is found liable, the court holds individual hearings to determine the relief (if any) for each victim. The Supreme Court recently reaffirmed the use of the Teamsters model for discrimination class actions in part because of the individualized nature of injuries. Wal-Mart Stores, Inc. v. Dukes, 564 U.S. 338, 366 (2011). Thus, this bill would overturn the approach established four decades ago to permit a class of victims of discrimination to seek effective relief.

For the same reason, the bill's limitation on ''issue classes'' will impede the enforcement of civil rights laws. Under current practice, the district court will decide in some cases that the best approach is to resolve the illegality of a discriminatory practice in an initial proceeding, and then allow class members to pursue individual remedies on their own. In such cases, class certification for the core question of liability (often a complex proceeding) will be tried and resolved just once for the benefit of the many affected individuals. These issue classes can promote both efficiency and fairness. Section 1720, however, would deprive courts of this ability that they currently have to manage class actions to ensure justice.

REQUIRING THE EARLY IDENTIFICATION OF CLASS MEMBERS IS UNNECESSARY

Section 1718 seeks to impose a heightened standard for identifying class members, an approach that has been rejected by the majority of circuits to have considered the question. This stringent standard would not further any interest that is not already adequately protected by Rule 23, which requires that the court consider whether the case is manageable and the class action device is the ''superior'' method for fairly and efficiently resolving the case.

Moreover, §1718 would impose a nearly insurmountable hurdle in situations where a class action is the only viable way to pursue valid but low-value claims. In such cases, records of who has been affected may have been destroyed by the wrongdoer, may be incomplete, or may have never existed at all. In those cases, individual notice to all class members may be impossible. But, without class certification in these situations, class members who have valid claims and who can be identified would not be allowed to recover. The bill also ignores the important objective of deterring and punishing wrongdoing, and encourages defendants not to maintain relevant records.

ARBITRARY AND UNWORKABLE STANDARDS FOR ATTORNEYS' FEES UNDERMINE CIVIL RIGHTS ENFORCEMENT

Civil rights class actions are often about systemic reforms that benefit the most vulnerable. In many cases, the sole remedy is an injunction to change illegal laws or practices. To ensure that non-profit legal organizations and other advocates are able to undertake these important, complex, and often risky cases, dozens of our civil rights laws incorporate fee-shifting provisions. If a case is successful, the judge awards a reasonable fee based upon the time that the advocates have spent working on the case. This method of determining attorneys' fees provides for consistent and predictable outcomes, which is a benefit to all parties in a lawsuit.

H.R. 985 would entirely displace this well-settled law with a standard long ago rejected as arbitrary and unworkable. Under the bill, attorneys' fees would be calculated as a ''percentage of the value of the equitable relief.'' §1718(b)(3). But how is a judge to determine the cash value of an integrated school, a well-operating foster care system, the deinstitutionalization of individuals with disabilities, or myriad other forms of equitable relief secured by civil rights class actions? Asking judges to assign a price tag in such cases is an impossible task and would lead to uncertainty and inconsistency.

Non-profit organizations cannot bear the risk of these long and expensive cases if, at the end, their fees are calculated under this incoherent and capricious standard. Indeed, the bill creates an incentive for defendants to prolong the litigation so as to make it economically impossible for plaintiffs' attorneys to continue to prosecute the litigation.

These serious issues warrant, at a minimum, careful consideration and public hearings. A rush to pass such far-reaching and flawed legislation will deny access to justice for many and undermine the rule of law.

Respectfully Submitted,

JOCELYN D. LARKIN,
*Executive Director, Impact Fund.*

SIGNATORIES

1. 9to5, National Association of Working Women
2. A Better Balance
3. Advancement Project
4. American Association of University Women
5. American Civil Liberties Union
6. Asian American Legal Defense and Education Fund
7. Asian Americans Advancing Justice—Asian Law Caucus
8. Asian Americans Advancing Justice—Los Angeles
9. Association of Late Deafened Adults
10. Atlanta Women for Equality
11. Baltimore Neighborhoods, Inc
12. Business and Professional Women/St. Petersburg-Pinellas
13. California Employment Lawyers Association
14. California Women's Law Center
15. Campaign for Educational Equity, Teachers College, Columbia University
16. Center for Children's Advocacy
17. Center for Independence of the Disabled, New York
18. Center for Justice and Accountability
19. Center for Popular Democracy
20. Center for Public Representation
21. Center for Responsible Lending
22. Central Alabama Fair Housing Center
23. Centro Legal de la Raza
24. Chet Levitt Fund for Employment Law
25. Child Care Law Center
26. Children's Law Center, Inc.
27. Children's Rights
28. Civil Rights Education and Enforcement Center
29. Colorado Cross-Disability Coalition
30. Columbia Legal Services
31. Communities for a Better Environment
32. Community Development Project of the Urban Justice Center
33. Community Justice Project
34. Community Legal Services in East Palo Alto

35. Dade County Bar Association Legal Aid Society
36. Disability Law Center
37. Disability Rights Advocates
38. Disability Rights Education and Defense Fund
39. Disability Rights Maryland
40. Domestic Violence Legal Empowerment and Appeals Project
41. Earthjustice
42. EarthRights International
43. Empire Justice Center
44. Environmental Justice Coalition for Water
45. Equal Justice Center
46. Equal Justice Society
47. Equal Rights Advocates
48. Farmworker Justice
49. Florida Justice Institute, Inc.
50. Florida Legal Services, Inc.
51. Florida's Children First
52. Freedom Network USA
53. Heart of Florida Legal Aid Society Inc
54. Homeowners Against Deficient Dwellings
55. Human Rights Defense Center
56. Human Trafficking Pro Bono Legal Center
57. Impact Fund
58. Institute for Science and Human Values
59. Jacksonville Area Legal Aid, Inc.
60. Justice in Motion
61. Lambda Legal
62. LatinoJustice PRLDEF
63. Law Foundation of Silicon Valley
64. Lawyers Civil Rights Coalition
65. Lawyers' Committee for Civil Rights of the San Francisco Bay Area
66. Lawyers' Committee for Civil Rights Under Law
67. Legal Aid at Work (formerly Legal Aid Society—Employment Law Center)
68. Legal Aid Justice Center
69. Legal Aid of Manasota
70. Legal Aid of Marin
71. Legal Aid Service of Broward County, Inc.
72. Legal Aid Society of NYC
73. Legal Aid Society of Palm Beach County, Inc.
74. Los Angeles Center for Community Law and Action
75. Make the Road New York
76. MALDEF
77. Maurice & Jane Sugar Law Center for Economic & Social Justice
78. Metropolitan Washington Employment Lawyers Association
79. Mississippi Center for Justice
80. NAACP Legal Defense and Educational Fund, Inc.
81. National Advocacy Center of the Sisters of the Good Shepherd
82. National Center for Lesbian Rights
83. National Center for Transgender Equality
84. National Center for Youth Law
85. National Disability Rights Network
86. National Employment Law Project
87. National Employment Lawyers' Association
88. National Employment Lawyers' Association—New York
89. National Housing Law Project
90. National Immigration Law Center
91. National Law Center on Homelessness & Poverty
92. National Partnership for Women & Families
93. National Women's Law Center
94. New Mexico Environmental Law Center
95. North Carolina Justice Center
96. North Florida Center for Equal Justice, Inc.
97. Northwest Health Law Advocates
98. Oregon Communication Access Project
99. Prisoners' Legal Services of Massachusetts
100. Prison Law Office
101. Public Advocates
102. Public Counsel
103. Public Interest Law Project
104. Public Justice
105. Public Justice Center
106. Public Utility Law Project of New York
107. Rhode Island Center for Justice
108. San Diego Volunteer Lawyer Program, Inc.
109. Southern Center for Human Rights
110. Southern Legal Counsel, Inc.
111. Southern Poverty Law Center
112. Southwest Pennsylvania Chapter, National Organization for Women
113. Southwest Women's Law Center
114. Tenants Together
115. Texas Fair Defense Project
116. Transgender Law Center
117. Uptown People's Law Center
118. Washington Lawyers' Committee for Civil Rights and Urban Affairs
119. Washington State Communication Access Project
120. Western Center on Law & Poverty
121. Women's Employment Rights Clinic, Golden Gate University
122. Women's Law Project
123. Workplace Fairness

Mr. Chairman, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, with great deference and respect to my friend and colleague, the ranking member, this amendment would subject certain class members to unfair treatment and, thus, should be rejected.

First, the bill's provisions on type and scope of injury only apply to proposed classes ''seeking monetary relief for personal injury or economic loss.'' Insofar as civil rights cases do not seek money damages, they are completely unaffected by the bill and would proceed just as they do today.

However, if money damages are sought by a proposed class, then, of course, they should be subject to the procedures in the bill. The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a means of artificially inflating the size of a class to extort a larger settlement value.

Exempting a subset of money damage cases from the bill, as this amendment would do, would serve only to incentivize the creation of artificially large classes to extort larger and unfair settlements from innocent parties for the purpose of disproportionately awarding uninjured parties.

Any claims seeking monetary relief for personal injury or economic loss should be grouped in classes in which those who are the most injured receive the most compensation. Why should civil rights claimants seeking money damages be subject to particularly unfair treatment by being allowed to be forced into a class action with other uninjured or minimally injured members, only to see their own compensation reduced? That does a disservice to those claimants. Yes, that is exactly what this amendment would do.

Further, the bill's provision on attorneys' fees won't affect fee awards in civil rights cases at all because both the monetary and equitable relief attorneys' fees provision in the bill are qualified with the initial phrase ''unless otherwise specified by Federal statute.''

The Civil Rights Attorney's Fee Award Act of 1976 allows a court, in its discretion, to award reasonable attorneys' fees as part of the costs to a prevailing party in Federal civil rights lawsuits, including cases brought under 28 U.S.C. section 1983, the statute most commonly used to assert civil rights claims.

Consequently, this bill will not affect attorneys' fees in civil rights class actions at all, including, of course, cases brought under the Americans with Disabilities Act, which has its own attorneys' fees provision.

The conflicts of interest provision reflects a valid concern in all class actions. The courts need to know how the named plaintiffs came to be involved in class actions in all types of cases to ensure there aren't conflicts and that the due process rights of all class members are protected.

The issues class provision won't disrupt the manner in which civil rights cases are normally litigated. Discovery stays while dispositive motions are pending won't disrupt civil rights cases. Like any other case, the plaintiffs need to show they have a facially valid complaint before discovery should commence.

Disclosure of third-party funding is no less important in civil rights cases than in other class actions. The appeals provision benefits both plaintiffs and defendants, giving either side the right to appeal if class certification is granted or denied.

I urge all my colleagues to oppose this amendment, which would set back the just causes of civil rights claimants.

Mr. Chairman, I yield back the balance of my time.

□ 1730

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115–29.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 13, strike line 19 and all that follows through line 15 on page 14, and insert the following:

''(8) A trust described in paragraph (2) shall file with the bankruptcy court, not later than 60 days after the end of every quarter, a report that shall be made available on the court's public docket and with respect to each such reporting period contains an aggregate list of demands received and an aggregate list of payments made.''.

The Acting CHAIR. Pursuant to House Resolution 180, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I think the question is: Is there any collegiality and respect for the Federal judicial system?

Let me read a letter in reference to the underlying bill:

We strongly urge Congress not to amend the class action procedures found in rule 23 outside of the Rules Enabling Act process.

It goes on to talk about an advisory committee, but I don't know any sentence more clear than that. I know that as a parent raising a child, ''do not'' and ''no'' are very clear, yet we maintain this debate on the floor of the House.

Let me also mention a debate that is tomorrow, but I think it is relevant to my amendment, LARA. This is a rule that was in in 1983. In 1993, it was thrown out because it had a deleterious effect on meritorious civil rights cases, employment cases, and others. The Lawsuit Abuse Reduction Act, that is tomorrow. The courts also don't want you to do that, and most of the courts say it is a waste of resources.

My amendment is going to help us solve the problem for this bill, H.R. 985. It would improve the rules of the committee print by replacing the substantive text of the bill with a requirement that the bankruptcy asbestos trust report quarterly an aggregate list of demands received and payments made. Specifically, the Jackson Lee amendment protects the privacy of asbestos victims from overly broad and invasive disclosure requirements by striking from the bill's text personal information disclosure mandates.

Mr. Chairman, the only beneficiaries of the so-called FACT Act are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers—it is the defendants. And, no, it does not provide for a safety for the trust.

Worse, this bill would allow victims of asbestos exposure to be further victimized by requiring information about their illness to be made publicly available to virtually anyone who has access to the internet. Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with the compensation for asbestos exposure.

Why do these people have to be doubly, triply penalized? They are already dying, many of them.

Insurance companies, prospective employers, lenders, predatory scam artists all have access to these unsuspecting and devastated families or victims. I ask my colleagues to support this commonsense Jackson Lee amendment.

Mr. Chair, I wish to thank the Chair and Ranking Member of the Rules Committee for making the Jackson Lee Amendment in order.

Mr. Chair, thank you for this opportunity to explain the Jackson Lee Amendment to Rules Committee Print 115–5 of H.R. 985, the ''Fairness in Class Action Litigation And Furthering Asbestos Claim Transparency Act of 2017.''

My amendment would improve the Rules Committee Print 115–5 to H.R. 985 by replacing the substantive text of the bill with a requirement that the bankruptcy asbestos trust report quarterly an aggregate list of demands received and payments made.

Specifically, the Jackson Lee Amendment protects the privacy of asbestos victim plaintiffs from overly broad and invasive disclosure requirements, by striking from the bill's text personal information disclosure mandates.

Mr. Chair, the only beneficiaries of the so-called ''FACT Act,'' are the very entities that knowingly produced a toxic substance that killed or seriously injured thousands of unsuspecting American consumers and workers.

In fact, I am unaware of any asbestos victim who supports this legislation.

Worse yet, this bill would allow victims of asbestos exposure to be further victimized by requiring information about their illness to be made publicly available to virtually anyone who has access to the Internet.

For example, the bill requires all payment demands, as well as, the names and exposure histories of each claimant together with the basis for any payment the trust made to such claimants to be publicly disclosed.

This sensitive information must be posted on the court's public docket, which is easily accessible through the Internet with the payment of a nominal file.

Once irretrievably released into the public domain, this information would be a virtual treasure trove for data collectors and other entities for purposes that have absolutely nothing to do with compensation for asbestos exposure.

Insurance companies, prospective employers, lenders, and predatory scam artists as well as the victim's neighbors would have access to this information.

To address this serious failing of the bill, my amendment would ensure that the quarterly reports required under the ''FACT Act,'' contain only aggregate payment information.

My amendment also deletes the bill's burdensome discovery requirement.

As noted by the widow of our former colleague Representative Bruce Vento who passed away from asbestos-induced mesothelioma, the bill's public disclosure of victims' private information: ''could be used to deny employment, credit, and health, life, and disability insurance.''

Mrs. Vento also warned that asbestos victims ''would be more vulnerable to identity thieves, con men, and other types of predators.''

I am sure that the supporters of this legislation will say that Bankruptcy Code section 107 will prevent such results.

But this provision only permits—it does not require—the bankruptcy court to issue a protective order.

In fact, such relief may only be granted ''for cause'' if the court finds that ''disclosure of such information would create undue risk of identity theft or other unlawful injury to the individual.''

What this means is that an asbestos victim would have to retain counsel and go to court in order to prove ''cause'' to obtain relief.

And, even though Bankruptcy Rule 9037 does require certain types of personal information to be redacted from a document filed in a bankruptcy case, said Rule would be overridden by this legislation, as written.

Accordingly, I urge my colleagues to support the Jackson Lee amendment to ensure that the privacy of asbestos victims is protected.

Mr. Chairman, I reserve the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, the FACT Act is designed to require increased transparency to combat fraud committed against asbestos trusts. This amendment strikes the requirement that asbestos trusts publish the very data that is necessary to detect fraud between the trusts and State tort proceedings. In its place, this amendment calls for only a quarterly report with an aggregate list of demands received by the trusts.

The simple aggregation of information is worthless in allowing parties to make a meaningful inquiry into whether or not they are being defrauded. This amendment guts the bill, and I urge opposition.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, how much time is remaining on my side?

The Acting CHAIR. The gentlewoman from Texas has 2 minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, let me say whose side I want to stand on, and that is the side of Mrs. Vento, the widow of our former colleague, Representative Bruce Vento, who passed away from asbestos-induced cancer.

The bill's public disclosure of victims' private information could be used to deny employment, credit, and health, life, and disability insurance. Mrs. Vento also warned that asbestos victims would be more vulnerable to identity thieves, con men, and other types of predators.

There is no reason for this bill. Not only is the Judicial Conference of Federal Judges against it, but victims are crying out: Stop it, and stop it now.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON LEE. Mr. Chairman, I include in the RECORD a StarTribune article.

[From the StarTribune]

STAND WITH FAMILIES AFFECTED BY ASBESTOS, AND HELP KILL FACT ACT

My husband was the late U.S. Rep. Bruce F. Vento, who served for almost 24 years in the House of Representatives representing Minnesota's Fourth Congressional District. He died from mesothelioma in 2000 within eight and a half months of being diagnosed.

Mesothelioma is an aggressive cancer caused by asbestos exposure. Bruce was exposed while working his way through college as a laborer, years before he became involved in public life.

With his death, our country lost a hard-working and humble public servant years before his time. Bruce's parents, siblings, children, grandchildren and I lost so much more.

Since his death, I have worked with asbestos patients and family members from across the country to fight for a ban on asbestos and to protect the rights of people whose lives have been forever affected by this terrible poison.

I have recently been involved in the effort to stop the so-called ''Furthering Asbestos Claims Transparency Act,'' or FACT Act, which would obstruct justice for victims dying from asbestos-related diseases while giving a handout to the very corporations that knowingly poisoned and killed them.

The FACT Act would require that the personal information of sick and dying asbestos patients and their families be posted on a public website, including names, addresses, medical diagnoses, financial compensation received and the last four digits of our Social Security numbers.

This is precisely the kind of information that law enforcement officials tell the public we should not share on the Internet because it leaves us vulnerable to identity thieves and con artists.

The House could be considering a vote on this bad legislation in the coming weeks, making it all the more urgent that we act now to protect the privacy of asbestos victims and their families.

Supporters of the FACT Act are the corporations that exposed innocent workers, consumers and their family members to asbestos, while concealing what they knew about this dangerous poison. They claim that this gross violation of our privacy is necessary in order to protect asbestos patients from fraud against the asbestos trust funds that were set up to compensate asbestos victims and their families. Yet, not a single instance of fraud against the trust funds has been identified.

What is worse, while the bill's supporters claim that they are doing it for asbestos victims, not one victim of asbestos exposure or an affected family member has been allowed to be heard on this legislation. The only people who would be directly affected by the bill have been completely shut out of the process.

The FACT Act would also bog down the asbestos trust funds in endless paperwork to respond to information requests from asbestos companies. This would drain the funds of money that is desperately needed to compensate sick and dying victims. As the victims get more and more desperate, they will be willing to settle cases for pennies on the dollar, taking needed compensation away from families and leaving it in the pockets of the responsible companies.

I recently traveled to Washington, D.C., and met with Sens. Al Franken and Amy Klobuchar and Rep. Betty McCollum, all of whom committed to work with asbestos patients and family members to stop the FACT Act from becoming law. I hope that we can count on the rest of Minnesota's congressional delegation to stand with asbestos patients and families and against the FACT Act.

Ms. JACKSON LEE. Mr. Chairman, without having the ability to hear my colleague's opposition, I know that the supporters of this legislation will say that Bankruptcy Code section 107 will prevent these devastating results, but it is not true. This provision only permits it. It does not require the bankruptcy court to issue a protective order.

My amendment protects these vulnerable victims against the release of their data, making them, in addition to the devastating disease that they got from asbestos—and our good friend Bruce Vento, many of us knew Congressman Vento, we knew his wife, and we knew that his death was both untimely and devastating, and now you are saying to victims like him: Release all the data. Open yourself up to more. Open your families up to more.

The Jackson Lee amendment is a commonsense amendment that will provide for an asbestos trust report quarterly, an aggregate list of demands received and payments made. As well, it would protect the privacy of asbestos victim plaintiffs from overly broad and invasive disclosure requirements by striking down the bill's text about personal information disclosure mandates. No matter what my good friend from Texas says, he does not have an answer to protecting the privacy of these victims.

I ask our colleagues to support a commonsense response. Stop it now. The courts don't want it, and it is horrible for the victims. It is doubling down on people who have lost loved ones and victims who are suffering from asbestos-induced cancer. I ask my colleagues to support the Jackson Lee amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, the FACT Act requires that a very basic amount of information be released to protect against fraud against the asbestos trust system. I am standing with future victims of asbestos.

The diseases associated with asbestos typically don't manifest themselves for decades, in some cases, beyond or after exposure. These trusts are being drained by fraudulent and duplicative claims. These requirements of disclosure prevent that fraud by requiring the minimal amount of information being required. In fact, a judge with 29 years of bench experience testified before the Committee on the Judiciary that the FACT Act provides more protection in terms of confidentiality of records than the legal system is able to do.

This is commonsense legislation, does not invade people's privacy, and preserves these trust funds to make sure all victims are compensated. Mr. Chairman, I urge my colleagues to oppose the Jackson Lee amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. ESPAILLAT

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115–29.

Mr. ESPAILLAT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 21, insert ''subject to subparagraph (C),'' after ''(A)''.

Page 14, line 6, strike ''and'' at the end.

Page 14, line 7, insert ''subject to subparagraph (C),'' after ''(B)''.

Page 14, line 15, strike the close quotation marks and the period at the end, and insert ''; and''.

Page 14, after line 15, insert the following:

''(C) not comply with subparagraphs (A) and (B) with respect to such claimant who is or has been living in public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))) or any dwelling unit for which rental assistance is provided under section 8 of such Act (42 U.S.C. 1437f).''.

The Acting CHAIR. Pursuant to House Resolution 180, the gentleman from New York (Mr. ESPAILLAT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ESPAILLAT. Mr. Chairman, I rise in support of my amendment to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2017.

My amendment would exempt a claimant who is or has been living in public housing or any dwelling unit for which rental assistance was provided under the Section 8 housing program. While I firmly believe that every individual should be exempt from this outrageous provision, my amendment recognizes that we, the Federal Government, are the landlords, the owners, if you may, of public housing.

Speaker RYAN is a landlord of public housing. Our leader, the gentlewoman from California, is a landlord of public housing. The President is a tenant of public housing. The White House is public housing. While the White House has hot water, a nice roof, and likely no asbestos, it is still public housing. We, the taxpayers, pay the rent. We, as the Federal Government on both sides of the aisle, are the owners and the landlords of public housing.

As the owners of public housing, we have a unique obligation to the people living in these units. We are responsible for the dilapidated conditions of

our public housing units, and we are responsible for the health and well-being of low-income tenants living in them.

Much of our public housing was built in the 1950s and 1960s, coinciding with what was perhaps the peak time for the use of asbestos-containing products in building and construction materials. This has left thousands of our most vulnerable citizens at risk of exposure to asbestos, which has killed as many as 15,000 Americans each year.

People who have a legitimate claim and have been exposed to asbestos while living in either public housing or Section 8 housing should be afforded the due process they deserve and given the opportunity to bring their claims in a timely manner. I think this entire bill is a misnomer and should be renamed the unfairness in class action litigation act.

No one—no one—should have their due process rights delayed or denied. There is no doubt that the consequences of this legislation will be especially and uniquely detrimental to low-income individuals. This legislation will completely upend privacy and bankruptcy laws.

As it stands today, our laws guarantee that a claimant's information is protected. This bill, however, will require that an individual claimant's personal information and the amount they have received from the trust be made available on a public website. Not only is this a complete and total disregard for the individual's privacy, but it makes the most vulnerable in our society prey for financial predators.

My amendment will guarantee that tenants living in public housing and Section 8 housing are not subjected to such an outrageous shift in privacy rights. The bill sends trusts on a wild goose chase for information that may not even be there, while they should be spending their time working through the pending claims.

These companies hid the dangers of asbestos for decades, for far too long, and there is absolutely no reason why we should be helping them now. Rather than wasting time and taxpayer dollars obstructing the judicial system, we should be focusing on initiatives that will update our crumbling infrastructure. And, yes, public housing is undoubtedly infrastructure.

Finally, the CBO has indicated that, financially, this amendment will cost nothing. This amendment will cost absolutely nothing. But I can promise you that not adopting it will come at a great cost to our system of justice. I ask my colleagues to adopt this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Chairman, this amendment would prevent asbestos trusts from disclosing claims information submitted by individuals living in public housing in its quarterly reports and in response to information requests.

There is no reason to distinguish between the disclosure obligations of individuals living in public housing and the disclosure obligations of ordinary citizens. To the extent that claimants do not affirmatively identify themselves as living in public housing, this amendment would require asbestos trusts to determine whether claimants qualify in these categories, further draining them of funds needed to compensate future victims.

The FACT Act balances the need for transparency and protecting claimants' privacy. The FACT Act excludes any confidential medical records and the claimants' Social Security numbers. We should ensure that bankruptcy asbestos claims are processed in an open, fair, and transparent method in order to protect the limited amount of money reserved for compensating future asbestos victims.

□ 1745

The FACT Act should apply uniformly to all claimants, and it should not impose disparate burdens relating to individuals living in public housing.

Mr. Chairman, for that reason, I urge my colleagues to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ESPAILLAT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ESPAILLAT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115–29 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. DEUTCH of Florida.

Amendment No. 3 by Mr. DEUTCH of Florida.

Amendment No. 4 by Mr. SOTO of Florida.

Amendment No. 5 by Mr. JOHNSON of Georgia.

Amendment No. 6 by Mr. CONYERS of Michigan.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Mr. ESPAILLAT of New York.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 227, not voting 20, as follows:

[Roll No. 140]

AYES—182

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—227

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert

Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—20

Barletta
Brady (TX)
Carson (IN)
Curbelo (FL)
Davis (CA)
DeGette
Espaillat
Jayapal
Joyce (OH)
Kelly (IL)
Langevin
Matsui
McCaul
Moore
Richmond
Rush
Sinema
Speier
Titus
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1807

Messrs. POSEY, STIVERS, and TURNER changed their vote from ''aye'' to ''no.''

Messrs. KRISHNAMOORTHI, SOTO, CORREA, and CLEAVER changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 140.

Mr. ESPAILLAT. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 140.

AMENDMENT NO. 3 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 228, not voting 12, as follows:

[Roll No. 141]

AYES—189

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—228

Abraham
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—12

Aderholt
Barletta
Cleaver
Davis (CA)
Ellison
Kaptur
Katko
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. SOTO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the

gentleman from Florida (Mr. SOTO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 230, not voting 7, as follows:

[Roll No. 142]

AYES—192

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1815

Mr. GAETZ changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 230, not voting 9, as follows:

[Roll No. 143]

AYES—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Faso
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck

Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Zeldin

NOT VOTING—9

Barletta
Davis (CA)
Larson (CT)
Matsui
Richmond
Rush
Sinema
Titus
Yoho

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1818

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOHO. Mr. Speaker, had I been present, I would have voted "Nay" on rollcall No. 143, the Hank Johnson Amendment No. 5.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 230, not voting 8, as follows:

[Roll No. 144]

AYES—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Faso
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—8

Barletta
Clay
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1821

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 229, not voting 7, as follows:

[Roll No. 145]

AYES—193

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1825

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. ESPAILLAT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ESPAILLAT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 228, not voting 8, as follows:

[Roll No. 146]

AYES—193

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Faso
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn

Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—8

Barletta
Davis (CA)
Joyce (OH)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1828

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 985) to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, and for other purposes, and, pursuant to House Resolution 180, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KILDEE. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee moves to recommit the bill H.R. 985 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 13, insert after line 10 the following (and conform the table of contents accordingly):

**SEC. 108. PROTECTING SAFE DRINKING WATER.**

Nothing in this title or the amendments made by this title shall apply to any civil action brought to protect public drinking water supplies.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion to recommit is quite simple. It exempts class action lawsuits that are brought to protect public water supplies.

I know some of you have heard me speak of this. I am from Flint, Michigan, and we know, in my community, what happens when we fail to protect drinking water.

In the course of the day, most Americans take for granted that water that comes from the tap is safe. But for my community of 100,000 people, that is not true. It hasn't been true for years. Since the State government switched to a corrosive water source, the Flint River, they have not been able to drink water out of the tap.

This terrible decision poisoned the city's water supply with corrosive water, resulting in high levels of lead leaching into their water system, going into their pipes, into their homes, into their bodies, 100,000 people, 7,000 children under the age of 6. Nearly 3 years later, those same families are still reeling from this crisis. It is unacceptable. It is an injustice.

Lead is a potent neurotoxin. There is no safe level of lead. Lead exposure can lead to serious health effects felt for years.

But the impacts are not limited just to health. Those high levels of lead also damaged Flint's infrastructure, and we now have to remove thousands of pipes in order to provide safe water.

Thankfully, this Congress, Democrats and Republicans, came together to provide necessary help for my hometown to fix those pipes. But Flint residents will continue to suffer. That was important, but not enough. There are lots of health effects.

Just recently we learned that many cases, in fact, many deaths that we thought were attributable to pneumonia, were, in fact, Legionnaires' disease, traceable to the bacteria caused by this terrible crisis. A dozen people have already died as a result of Legionnaires' disease, and others, whose deaths may be reclassified, could bring that number much higher.

The corrosiveness of that water not only had health impacts, but it literally destroyed people's homes from the inside out. So, in addition to those service lines, people's plumbing in their homes, their water heaters, their washing machines destroyed, ruined, and their lives potentially ruined as well.

So where does the support, where does the funding come for those losses experienced by residents of my hometown?

It comes from the justice system. This bill would create more barriers for people in my hometown to access that justice system, to seek justice for what happened to them. They have suffered a terrible crisis, and they should be able to seek justice and restitution.

Unfortunately, this bill could prevent people from Flint, and other Americans, from seeking justice, and that is what my motion intends to correct.

In order to receive justice from the harm that they have experienced from this public water source, residents have filed class action suits. This bill severely curtails their access to the courts to seek redress, to seek that restitution. This bill would weaken their access to justice.

My motion is simple. It would allow lawsuits that are brought to protect our precious public water supplies to be exempt from the additional hurdles, from the additional barriers that this underlying bill sets out.

Having safe drinking water is a human right, and the access to that and the access to justice related to that basic human right ought to be completely unfettered. My motion to recommit would assure that, and I ask all of my colleagues to join me in supporting this motion.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, the base bill contains provisions that allow all claims to go forward as class actions and also maximize awards to deserving victims.

Why would anyone want to single out safe drinking water victims for adverse treatment and deny them the benefits of the base bill that would maximize any recovery they might receive in a class action?

This motion to recommit would do that, and it should be defeated.

In closing, let me say that we know that only the tiniest fraction of consumer class action members ever bother to claim the compensation awarded them in a settlement. That is clear proof that the vast majority—the vast large numbers of class members are satisfied with the product they purchased. They don't want compensation. They don't want to be lumped into gigantic class action lawsuits.

Federal judges are crying out for the Congress to reform the class action system, which currently allows trial lawyers to file classes with hundreds and thousands of unmeritorious claims and use those artificially inflated classes to force defendants to settle the case.

As I have recounted, some class action settlements have left lawyers with millions in fees while the alleged victims receive absolutely nothing.

This bill prevents people from being forced into class actions with other uninjured or minimally injured members, only to have the compensation of injured parties reduced. It requires that lawyer fees be limited to a reasonable percentage of the money injured victims actually receive.

I urge my colleagues to join me in opposing this motion to recommit and supporting this bill on behalf of the consumers and injured parties everywhere.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 7, as follows:

[Roll No. 147]

AYES—188

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1846

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 201, answered ''present'' 1, not voting 7, as follows:

[Roll No. 148]

AYES—220

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)

Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—201

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Faso
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Massie
McCollum
McEachin
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rogers (AL)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—1

Griffith

NOT VOTING—7

Barletta
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1852

Mr. SUOZZI changed his vote from ''aye'' to ''no.''

Mr. POSEY changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1259 AND H.R. 1367

Mr. SESSIONS. Mr. Speaker, this morning, the Rules Committee issued announcements outlining the amendment processes for two measures likely to be on the floor next week.

An amendment deadline has been set for Monday, March 13 at 3 p.m. for H.R. 1259, the VA Accountability First Act of 2007; and H.R. 1367, to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees.

The text of these measures is available on the Rules Committee website.

Feel free to contact me or my staff.

## INNOCENT PARTY PROTECTION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 175 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 725.

Will the gentleman from Alabama (Mr. BYRNE) kindly take the chair.

□ 1854

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. BYRNE (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in House Report 115–27 offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115–27 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. SOTO of Florida.

Amendment No. 2 by Mr. CARTWRIGHT of Pennsylvania.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. SOTO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. SOTO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 233, not voting 7, as follows:

[Roll No. 149]

AYES—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi

Gonzalez (TX)
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—7

Barletta
Davis (CA)
Matsui
Richmond
Rush
Sinema
Titus

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1859

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 229, not voting 13, as follows:

[Roll No. 150]

AYES—187

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Griffith
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus

| | | |
|---|---|---|
| Rouzer | Smucker | Walker |
| Royce (CA) | Stefanik | Walorski |
| Russell | Stewart | Walters, Mimi |
| Rutherford | Stivers | Weber (TX) |
| Sanford | Taylor | Webster (FL) |
| Scalise | Tenney | Wenstrup |
| Schweikert | Thompson (PA) | Westerman |
| Scott, Austin | Thornberry | Williams |
| Sensenbrenner | Tiberi | Wilson (SC) |
| Sessions | Tipton | Wittman |
| Shimkus | Trott | Womack |
| Shuster | Turner | Woodall |
| Simpson | Upton | Yoder |
| Smith (MO) | Valadao | Yoho |
| Smith (NE) | Wagner | Young (AK) |
| Smith (NJ) | Walberg | Young (IA) |
| Smith (TX) | Walden | Zeldin |

NOT VOTING—13

| | | |
|---|---|---|
| Barletta | King (IA) | Ryan (OH) |
| Davis (CA) | Matsui | Sinema |
| Doggett | Pelosi | Titus |
| Green, Gene | Richmond | |
| Gutiérrez | Rush | |

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1902

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KING of Iowa. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 150.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 725) to amend title 28, United States Code, to prevent fraudulent joinder, and, pursuant to House Resolution 175, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. KUSTER of New Hampshire. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. KUSTER of New Hampshire. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Kuster of New Hampshire moves to recommit the bill H.R. 725 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add, at the end of the bill, the following:

**SEC. 3. PROTECTING AMERICANS' RIGHT TO HOLD GOVERNMENT OFFICIALS TO ETHICAL STANDARDS.**

Nothing in this Act or the amendments made by this Act may be construed to apply to a civil action pertaining to ethics in government.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. KUSTER of New Hampshire. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Today, our country is in an era where appropriate ethics and conduct by elected officials is of the utmost importance.

I think we can agree that many representatives and others in government have failed to live up to the expectations of the American people.

We all have immense responsibility to advocate for our constituents, and it is so important that our work and the work of those in this administration reflect our genuine desire to do well on the part of those we represent.

I have heard from literally thousands of my constituents in New Hampshire who are concerned about the President's reluctance to fully give up control of his businesses, his refusal to publicly disclose his tax returns, and the connections between Russia and those in his campaign and the administration. This pattern of nondisclosure and hidden interests in the administration could put our public welfare and, indeed, our national security at stake.

Citizens must have all the legal tools at their disposal to push back against improper ethics and crony capitalism at all levels of government, including the highest levels of the Federal Government.

This also includes instances in which a business could face unfair competition because conflicts of interest in government provide unfair support to their competitors.

Unfortunately, the bill before us today makes it harder for those who may have been wronged by established and well-funded interests to get a fair shot in court.

My amendment simply states that nothing in this legislation shall be construed to apply to any civil action related to ethics in government. Private citizens trying to hold government officials to high ethical standards should not have barriers like this legislation thrown in their way.

Going forward, I hope that as Republicans and Democrats we can work together to promote legislation and efforts that increase transparency in government, rather than making it more difficult for citizens to hold the government accountable.

I ask that my colleagues support this important motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. FARENTHOLD. Mr. Chairman, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, I am not sure how this bill applies to government ethics at all.

This bill is a simple bill that tells trial lawyers not to sue innocent local people in businesses just so they can forum shop. It tells them that all they have got to do is show a plausible case before they can proceed and that they have got to proceed in good faith.

It has nothing to do with what the amendment proposes. This is to protect innocent folks from being sucked into lawsuits by trial lawyers.

I urge my colleagues to oppose this amendment and support the underlying legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. KUSTER of New Hampshire. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 9, as follows:

[Roll No. 151]

AYES—187

| | | |
|---|---|---|
| Adams | DeLauro | Kind |
| Aguilar | DelBene | Krishnamoorthi |
| Barragán | Demings | Kuster (NH) |
| Bass | DeSaulnier | Langevin |
| Beatty | Deutch | Larsen (WA) |
| Bera | Dingell | Larson (CT) |
| Beyer | Doggett | Lawrence |
| Bishop (GA) | Doyle, Michael F. | Lawson (FL) |
| Blumenauer | Ellison | Lee |
| Blunt Rochester | Engel | Levin |
| Bonamici | Eshoo | Lewis (GA) |
| Boyle, Brendan F. | Espaillat | Lieu, Ted |
| Brady (PA) | Esty | Lipinski |
| Brown (MD) | Evans | Loebsack |
| Brownley (CA) | Foster | Lofgren |
| Bustos | Frankel (FL) | Lowenthal |
| Butterfield | Fudge | Lowey |
| Capuano | Gabbard | Lujan Grisham, M. |
| Carbajal | Gallego | Luján, Ben Ray |
| Cárdenas | Garamendi | Lynch |
| Carson (IN) | Gonzalez (TX) | Maloney, Carolyn B. |
| Cartwright | Gottheimer | Maloney, Sean |
| Castor (FL) | Green, Al | McCollum |
| Castro (TX) | Grijalva | McEachin |
| Chu, Judy | Gutiérrez | McGovern |
| Cicilline | Hanabusa | McNerney |
| Clark (MA) | Hastings | Meeks |
| Clarke (NY) | Heck | Meng |
| Clay | Higgins (NY) | Moore |
| Cleaver | Himes | Moulton |
| Clyburn | Hoyer | Murphy (FL) |
| Cohen | Huffman | Nadler |
| Connolly | Jackson Lee | Napolitano |
| Conyers | Jayapal | Neal |
| Cooper | Jeffries | Nolan |
| Correa | Johnson (GA) | Norcross |
| Costa | Johnson, E. B. | O'Halleran |
| Courtney | Jones | O'Rourke |
| Crist | Kaptur | Pallone |
| Crowley | Keating | Panetta |
| Cuellar | Kelly (IL) | Pascrell |
| Cummings | Kennedy | Payne |
| Davis, Danny | Khanna | Pelosi |
| DeFazio | Kihuen | Perlmutter |
| DeGette | Kildee | Peters |
| Delaney | Kilmer | |

Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—9

Barletta
Davis (CA)
Green, Gene
Matsui
Richmond
Rooney, Thomas J.
Rush
Sinema
Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1914

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 194, not voting 11, as follows:

[Roll No. 152]

AYES—224

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—194

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Griffith
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Massie
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Russell
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Barletta
Clark (MA)
Davis (CA)
Green, Gene
Maloney, Sean
Matsui
Richmond
Rooney, Thomas J.
Rush
Sinema
Titus

□ 1919

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 610

Mr. OLSON. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 610.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). Is there objection to the request of the gentleman from Texas?

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 637

Mr. SANFORD. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 637.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

## APPOINTMENT OF MEMBER TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2017, of the following Member on the part of the House to the Migratory Bird Conservation Commission:

Mr. THOMPSON, California

## RIGHT TO TRY POTENTIALLY LIFESAVING DRUGS

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Mr. Speaker, many Americans, including my constituents, fight a terminal illness. Many of them cannot access potentially lifesaving drugs because of the lengthy and bureaucratic Food and Drug Administration's approval process.

Last month Congressman FITZPATRICK and I introduced the Right to Try Act, which is a bill that would provide the option for terminally ill patients to receive drugs that have passed the FDA's basic safety testing but are still working their way through the lengthy government process to receive final approval.

In 2014, my home State of Arizona passed a similar right-to-try law with nearly 80 percent of the vote, thanks to the heroic efforts of my friend, the late Laura Knaperek. She successfully fought to pass right-to-try at the State level even as she was battling a cancer that would ultimately claim her life. I sponsored this bill in memory of Laura and many others who have championed this legislation around the country.

Right-to-try has passed in 33 States, and it needs to be enacted at the Federal level. Our bill gives Americans that right to try. I am grateful for Congressman FITZPATRICK's partnership on this vital issue. I call upon my colleagues to pass this legislation in the House.

## HEALTH CARE UNCERTAINTY IN NEW JERSEY

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I wish I could say that the Republicans' attack on the poor and vulnerable through this disastrous healthcare bill is a surprise. But, unfortunately, in my home State, Republican leadership has laid out the framework for their very own attack.

Last week, Governor Chris Christie dealt another blow to the welfare of New Jerseyans by seeking to fund his State budget by siphoning money from Horizon, the State's largest healthcare insurer, serving over 900,000 Medicaid members in New Jersey. Horizon's reserve fund exists to protect healthcare consumers in the face of uncertainty. But, Mr. Speaker, New Jerseyans are currently facing tremendous uncertainty due to proposals by Republicans in Congress to roll back Medicaid.

Mr. Speaker, the threats are clear. Governor Christie's proposal would destabilize Horizon and raise consumer premiums just when hundreds of thousands of New Jerseyans may lose Medicaid coverage or have premium subsidies withdrawn at the hands of reckless Federal lawmakers.

In my district alone, 40,600 New Jerseyans currently covered by the ACA's Medicaid expansion now stand to lose their coverage if eliminated. Both Governor Christie's budget raid and the Republican healthcare proposal are prescriptions for disaster. These plans are not only lazy and careless, but are also unworkable strategies that will only result in chaos across the healthcare industry of New Jersey and this country.

## PENN STATE'S THON FUNDRAISER

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate one of Penn State's finest events, THON, a 46-hour dance marathon. THON began in 1977. It is the largest student-run philanthropy in the world, and it raises money to fight pediatric cancer. THON ran from February 17 to 19 as dancers stood for 46 hours without sleep at Bryce Jordan Center.

THON is a year-round fundraising and awareness campaign for the fight against childhood cancer, with proceeds going directly to Four Diamonds, which benefits the Penn State Children's Hospital in Hershey, Pennsylvania. Four Diamonds ensures that families who are battling pediatric cancer are not faced with any costs, allowing them to fully focus on the needs of their child. THON 2017 raised more than $10 million, and since its inception, THON has raised more than $146 million.

This truly is an event like none other. It shows the power of what Penn State students can do and have been doing to cover the treatment costs for pediatric cancer patients as well as support cancer research. Thank you to all the Penn State students who take part in this spectacular event.

## FIX HEALTH CARE, DON'T DESTROY IT

(Mr. CRIST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRIST. Mr. Speaker, I rise today in strong support of strengthening the Affordable Care Act. Last Saturday, we held a townhall meeting in my home of St. Petersburg, Florida. Over 550 Pinellas County residents showed up, and the message was overwhelming: Work together, fix health care, don't destroy it, put people above politics.

The Republican bill unveiled this week would drive up healthcare costs, strip away important protections, and leave millions without coverage. It is wrong for senior citizens. It is wrong for women. It is wrong for the poor and the disabled. We are judged by how we treat the least among us.

## HONORING ZELL MILLER

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to wish the great Georgia Governor and U.S. Senator Zell Miller a happy 85th birthday. He celebrated his milestone on February 24, 2017.

For his undergraduate education, Mr. Miller attended the University of Georgia as well as my alma mater, Young Harris College. He often compared Young Harris to a shoe factory because, as he says, you enter single but you leave as a pair. Fittingly, it is where Mr. Miller met his wife of more than 60 years, Shirley. Also fittingly, it is where I met my wife of 38 years, Amy.

Mr. Miller has dedicated much of his life to serving the public, starting out as the mayor of his small hometown of Young Harris in north Georgia. This outstanding career led him through every level of service, including State senator, Lieutenant Governor, Governor, and United States Senator.

Mr. Miller's dedication to his home State of Georgia and the United States as a whole continues to have lasting effects that are felt to this day. As Governor of Georgia one of Mr. Miller's greatest gifts was the HOPE Scholarship. This fund opens up educational

opportunities for thousands of Georgians every year by providing college tuition assistance to qualified students.

Mr. Miller's legacy is well known in Georgia, but his accomplishments and charisma also earned him the respect of his colleagues across our Nation.

Once again, I want to wish a happy 85th birthday to Zell Miller and thank him for his contributions to Georgia and the United States. We can all learn from the great example of his dedication to the public.

□ 1930

## CONGRATULATING RUTGERS SCARLET KNIGHTS MEN'S BASKETBALL TEAM

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to congratulate the Rutgers men's basketball team on a tremendous accomplishment.

With their win last night over The Ohio State University, the Scarlet Knights celebrated their first Big Ten Tournament victory since joining the conference in 2014. Their hard work this season has paid off, and they now advance to play Northwestern tonight.

Mr. Speaker, I would like to congratulate the team, first-year head coach Steve Pikiell, and the entire Rutgers program.

Following their win, Coach Pikiell said that the team learned how to compete this year. Well, last night it certainly showed, and I look forward to watching the Scarlet Knights play tonight and wish them continued success in the tournament.

## PAKISTAN IS NOT ON OUR SIDE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of TEXAS. Mr. Speaker, it is no surprise Pakistan is not the friend they portray themselves to be. They are a devious, deceptive, and disloyal ally.

For years they have supported the Taliban by providing them cover, cash, and weapons. However, this Benedict Arnold ally is among the leading recipients of U.S. foreign assistance for the last 14 years.

Mr. Speaker, we don't need to pay Pakistan to betray us, they will do it for free.

The Taliban's headquarters is, you guessed it, in Pakistan. When a U.S. drone attack took out the Taliban's leader in May 2016, he was in Pakistan.

This should be the last rodeo for Pakistan. This is why I have introduced the Pakistan State Sponsor of Terrorism Designation Act. The bill requires the administration to issue a report containing either a determination that Pakistan is a state sponsor of terrorism or a justification as to why it is not.

It is time to determine whose side Pakistan is on. And, Mr. Speaker, they are not on our side.

And that is just the way it is.

## REPUBLICAN HEALTHCARE PLAN FAILS AMERICANS

(Mr. KRISHNAMOORTHI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHI. Mr. Speaker, the Republican healthcare plan would not only fail to improve upon the Affordable Care Act, it would undo the benefits millions of Americans depend on and devastate our economy in the process.

This plan would strip millions of working families of their health care, cut benefits for millions more, and increase premiums for older Americans by 25 percent. It would ravage our economy by destabilizing the healthcare sector and pushing State and local governments to the brink of bankruptcy.

Four Republican Senators have even rejected this bill because of its economically devastating Medicaid cuts.

The Republican plan would force the counties I represent to pay hundreds of millions of dollars more for health care.

This bill would force local governments to raise property taxes or deny health care.

We need healthcare solutions that improve care and strengthen our economy at the same time. We must not settle for this plan, which accomplishes neither.

## HARDSHIPS FACED UNDER AFFORDABLE CARE ACT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to share with you one of the countless stories my office has received that highlight the hardships faced under the Affordable Care Act, primarily by middle-income families. This one came in on January 17. Joe writes:

''Mr. LaMalfa, I was penalized $850 on my 2015 tax return for the transgression of not having been enrolled in the Affordable Care Act.

''I simply cannot afford the now $895-per-month premium, double, to insure my family of three. I have been forced into what's called self-pay for our doctor visits.

''Cancer biopsies, Z-Packs, dental, and eyeglasses all come out of my paycheck . . . it sure would have been nice to have that extra $850 penalty to pay for all this.''

He ended his message stating, simply: ''ObamaCare needs to be repealed and replaced with free market policies that can be purchased across State lines.''

His testimony highlights one of the primary issues with the ACA: fewer choices, increasingly expensive premiums, deductibles that are out of sight that are forcing citizens into paying out of pocket for services they need.

Another one of my constituents told me they were ultimately forced to choose between paying their mortgage and paying their monthly premium. That is not a choice at all, and one that should not have to be made.

## REPUBLICAN HEALTHCARE PLAN WILL HAVE DEVASTATING IMPACT

(Mr. SUOZZI asked and was given permission to address the House for 1 minute.)

Mr. SUOZZI. Mr. Speaker, I rise in opposition to the Republican healthcare plan and its devastating impact. When it comes to the Affordable Care Act, I have always said: mend it, don't end it.

I came to Congress wanting to work together on a bipartisan plan that would build and improve upon the Affordable Care Act. Unfortunately, the plan the Republicans have offered and that is supported by the President was written in secret, kept under wraps, and is now being rushed through marathon subcommittee sessions so the American people don't have a chance to actually see what is in this bill.

Republicans refuse to wait for the Congressional Budget Office, a nonpartisan group, to tell us how much their plan will cost and how many people will get thrown off their health care plans. Maybe that is because their plan offers tax breaks to the wealthy while the rest of us get stuck paying the bill.

Reductions proposed in this bill would result in over $1 billion in cuts for New York State this year. Now the American Association of Retired Persons, the American Hospital Association, the American Medical Association, and a growing list of Republican and Democratic Governors throughout the Nation oppose this plan.

So instead of pushing through a bill that we know will result in rising premiums and throw people off their healthcare, let's come together and find a solution that makes sense for all Americans.

## OPPOSING REPEAL AND REPLACE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, I rise today in strong opposition to the repeal and replace bill offered by my Republican colleagues. I have never believed ObamaCare was perfect, but it was a step in the right direction.

We will only move our healthcare policy forward by working together to

build on the very real successes of ACA and fix the actual problems with the law. But this legislation as proposed does none of that and, in fact, takes us in the opposite direction.

Under the proposed legislation, 10 million Americans would lose their health insurance, according to an analysis from Standard and Poor's. Seniors would be charged much more than what others pay for health care, and the 3.2 million Illinoisans who depend on Medicaid will face cuts to their coverage.

Mr. Speaker, this House is recklessly and unnecessarily rushing to a vote before we have basic answers. Most importantly, we need to know from the Congressional Budget Office how many people this bill will and will not cover and how much it will cost.

We need to set aside the politics and work in a bipartisan way to give all Americans quality, affordable health care.

I strongly urge my colleagues to oppose the bill.

## HONORING CHRISTOPHER ''NOTORIOUS B.I.G.'' WALLACE

(Ms. PLASKETT asked and was given permission to address the House for 1 minute.)

Ms. PLASKETT. Mr. Speaker, this is a very special day to many of us Caribbean Americans as we pay tribute to the life of Christopher Wallace, otherwise known as Biggie Smalls.

Livin' life without fear,
Putting five karats in my baby girl's ear,
Lunches, brunches, interviews by the pool,
Considered a fool 'cause I dropped out of high school,
Stereotypes of a black male,
Misunderstood,
And it's still all good,
And if you don't know, now you know.

## HONORING CHRISTOPHER ''NOTORIOUS B.I.G.'' WALLACE

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Mr. Speaker, I rise today in remembrance of Brooklyn's own Notorious B.I.G., Jamaican-American Christopher Wallace.

In celebration of his life and living legacy, I share these words:

Thinkin' back on my one-room shack,
Now my mom pimps an Ac with minks on her back.
And she loves to show me off of course,
Smiles every time my face is up in The Source.
We used to fuss when the landlord dissed us,
No heat, wonder why Christmas missed us.
Birthdays was the worst days,
Now we sip champagne when we thirsty,
Uh, right, I like the life I live,
'Cause I went from negative to positive.
And it's all good.
And if you don't know, now you know.

## GREAT LAKES RESTORATION INITIATIVE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today to speak on behalf of an important bipartisan-supported vital Environmental Protection Agency program, the Great Lakes Restoration Initiative, spanning the largest body of freshwater on the face of the Earth. Many media outlets have suggested that the President intends to cut this program by 90 percent—90 percent.

I would like to clarify that this proposal is not yet official, but it is more than a rumor. So I would like to believe that this President who achieved the White House by carrying the Great Lake States of Michigan, Indiana, Pennsylvania, Wisconsin, and my own Ohio, would not take this awful step backward.

Candidate Trump traveled to Flint, Michigan, and promised that the water situation would never happen if he were President. Is he going to reverse his firm promise of clean water?

The blue economy of the Great Lakes depends on clean water: a $7 billion maritime industry in Lake Erie alone; jobs related to the automotive and industrial sector of our country; recreational opportunities; and, most importantly, preserves clean drinking water for the millions and millions of people who depend on that today and in the future.

Supporting the Great Lakes Restoration Initiative is not partisan; it is common sense.

## HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. BIGGS). Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to have this time on behalf of the minority and the Progressive Caucus. We have a number of very distinguished Representatives who want to talk about what is going on with people's health care in America and the attacks leveled against it this week in Congress.

Before we begin, I yield to my distinguished colleague from New York (Mr. JEFFRIES).

### HONORING CHRISTOPHER ''NOTORIOUS B.I.G.'' WALLACE

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman from Maryland for yielding.

It was all a dream,
I used to read Word Up! magazine.
Salt-n-Pepa and Heavy D up in the limousine,
Hangin' pictures on my wall,
Every Saturday Rap Attack,
Mr. Magic, Marley Marl.

Those were the words of the late great Notorious B.I.G., Biggie Smalls, Frank White, the King of New York. He died 20 years ago today in a tragedy that occurred in Los Angeles, but his words live on forever.

I have got the privilege of representing the district where Biggie Smalls was raised. We know he went from negative to positive and emerged as one of the world's most important hip-hop stars. His rags-to-riches life story is the classic embodiment of the American Dream.

Biggie Smalls is gone, but he will never be forgotten. Rest in peace, Notorious B.I.G.

Where Brooklyn at?

□ 1945

Mr. RASKIN. Thank you very much to the distinguished gentleman from New York. We are going to go from the Notorious B.I.G.'s music to the notorious GOP healthcare proposal being considered in Congress this week.

### GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous materials in the RECORD on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, I am going to yield to my colleague from Minnesota, Mr. ELLISON. It was 7 years ago in March 2010 that President Obama signed the Affordable Care Act into law extending access to affordable health insurance coverage to more than 20 million previously uninsured Americans.

Insurance companies under the new law could no longer deny you insurance because you had a preexisting condition, and, surely, that makes sense. The fact that you have a preexisting medical condition should be the reason that you get health insurance, not the reason you get denied health insurance.

Also, under the new ACA, young people up to age 26 could stay on their family plans, which helps families like mine because I have got a 22-year-old, a 20-year-old, and a 25-year-old. And believe me, they would not have health insurance if not for the Affordable Care Act, and I think my situation is that of millions of people across the country.

But today, the ACA is in mortal danger. The House GOP finally unveiled their plan for repealing and replacing the ACA with something else, which I call the unaffordable care act, that will cost millions of people their health insurance, increase everybody's premiums, reduce everybody's coverage, and bring incoherence and chaos into the system.

Mr. Speaker, I am going to yield to Mr. ELLISON in just a moment to talk about what is going on with this legislation. But I do want to say something about the process by which we arrived here, because back when the Affordable Care Act was being debated—and I

wasn't in Congress then, so I approach this just as a historian—there were multiple complaints from the GOP Members about how fast things were going, how the legislation was being rammed through.

For example, our now-Speaker PAUL RYAN said about the ACA: ''Congress is moving fast to rush through a healthcare overhaul that lacks a key ingredient,'' he said, ''the full participation of you, the American people.''

GREG WALDEN, the Energy and Commerce chairman from Oregon, said: On a bill of this significance, you would think we would at least allow people to come in who are affected by the extraordinary changes in this bill, and have a chance to let us know how it affects them.

And the Ways and Means Committee chairman today, KEVIN BRADY, said: The Democratic Congress and White House simply aren't listening. The Democrats are ramming it through over the public's objections.

Well, let's go back and look at how long it took the Democrats to get the Affordable Care Act passed and how much public participation and debate there really was.

Here in Congress, there were 79 hearings—I repeat, 79 hearings—on the Affordable Care Act.

There were 181 witnesses, both expert witnesses and members of the public, citizens coming to testify about the need for expanded health insurance coverage for the American people because of the high expenses of health insurance and the rip-offs of various insurance companies.

There were multiple scores that were received from the Congressional Budget Office during that time, as there was constant attention to the budgetary and fiscal implications of the Affordable Care Act.

Now, fast-forward to today. We took a year-and-a-half to get to the Affordable Care Act. How about them? Well, let's see.

The Republicans introduced their bill on Monday. They passed their bill in the dead of night, at 4:30 in the morning, 3 days later. There have been no hearings on the bill. There have been no witnesses to testify on the bill. There have been no expert witnesses. There have been no witnesses from the public.

There is no analysis from the nonpartisan Congressional Budget Office on how much the bill will cost American taxpayers, American citizens, on their plans or how many Americans will lose their health care at all.

In other words, the party that complained about how fast the Affordable Care Act came into being, which was over the course of a year and a half with dozens of hearings, and dozens and dozens—more than 100 witnesses and lots of public debate where we went back to our districts and had townhall meetings, where there was orchestrated opposition against the plan, but we still stood there and we engaged in the dialogue, and we stood up for the Affordable Care Act. The people who said that that was too fast are now ramming through, at unprecedented, breakneck, lightning speed, a bill that will wreak devastation on the healthcare rights of the American people.

That is what is taking place. If you have got a contaminated, clandestine, secret, closed process, it will produce a terrible, undemocratic, and unhealthy result. That is what we are going to describe to you tonight.

I am delighted to yield to my colleague from Minnesota (Mr. ELLISON.)

Mr. ELLISON. Congressman, thank you for that introduction, and thank you for your service to the Congress and the great people of Maryland.

I think it is really important tonight to focus on a few key things about what is happening in Congress. One is that 20 million people stand to lose their healthcare coverage. Many have never had it, and the Republican majority is set to snatch it from their hands. That is really sad.

One of the people who come to mind is actually a young woman who works on my staff. Her name is Abby, and she is a young woman who has her whole life to look forward to, but as a young person, when she was born, she had a disease called toxoplasmosis. She doesn't mind me talking about it because what Abby would tell you if she were here is that it was tough growing up.

She had a lot of medical attention growing up. She was a good student, and she really braved all of the medical care she needed with tremendous courage, and her family was there with her the whole time. But she had numerous surgeries growing up, and she also came close to death's door on more than one occasion.

One thing that she says—and says to anybody who is willing to listen—is that the Affordable Care Act helped save her life. Why? Because Abby has a preexisting condition, a pretty serious illness. And she had insurance companies that have lifetime limits and annual limits on coverage and care.

Without the Affordable Care Act and with the provisions that preceded the Affordable Care Act in the insurance industry, she simply was uninsurable, therefore, not in a position to get the care she needed. By some miracle, she made it to adulthood with the status quo before the Affordable Care Act, but the Affordable Care Act made the difference between her being with us and not.

I was talking to a physician who operates an institution in my district called the Hennepin County Medical Center, HCMC, who said: Look, if you were to stack up all of the diseases in our country that end in fatality, you would have to put up there car accidents, you would have to put up there heart disease, you would have to put up there pulmonary illnesses and cancers, of course. But, he said, if you stacked those illnesses up on a list, the most fatal in a given year, he said, the third one would be uninsured, people dying because they don't have insurance.

And our Republican majority is here to tell us they are okay with that. It is hard for me to believe, but it is true.

Right in front of us, we know that this repeal will relieve wealthy individuals of paying taxes. If they are able to repeal the Affordable Care Act, people with a lot of money are going to have more of it, and people who needed health care will have less of it.

People who need help dealing with the doughnut hole and need to be filled in with the moneys that come from the Affordable Care Act won't have that anymore. Now they will go back to the status quo of Medicare part D, which is where they get help up to a certain amount, then there is no help, then they have got to spend up to start getting help again. The Affordable Care Act filled in the doughnut hole, and seniors who can barely afford their prescription drugs now will have even more trouble.

Seniors who need Daraprim, which was a medication that cost about 13 bucks until this guy Shkreli bought the patent for it and jacked it up to about 700 bucks, people who need even things like insulin, people who need all kinds of medications now are going to be staring at that doughnut hole all over again.

I mean, we can get up here and talk about the toll, the human tragedy, the pain and suffering that people are looking at, but none of it seems to penetrate the minds of our colleagues. They seem to be deaf to the pleas of people like Abby and so many other people like that.

I was here when my colleagues on the other side brought forth I think as many as 60 attempts to repeal the Affordable Care Act. We would come forth and we would say: People are getting lifesaving treatments that they never could afford before; people are getting treatments that are literally keeping their families intact, keeping their lives intact; people are getting coverage they never had; people have something more than the emergency room to turn to. Our colleagues would just say: Well, we are just going to get rid of it anyway.

In fact, I remember, Mr. Speaker, when the Republicans shut down the government for 16 days because we refused to cooperate with their effort to repeal the Affordable Care Act. TED CRUZ occupied time and demanded that we repeal it. We said we would not turn people like Abby and others back to the tender mercies of the insurance industry. They said: Well, we will shut down the entire government unless you do it. We said no, and, well, here we are.

It is true that we never thought we were going to lose this election. We never thought we would be this deep in the minority, but we now have gotten in a position where the Democrats

don't hold the Presidency. We have a President who ran on the promise of repealing the Affordable Care Act, and we have two Houses of Congress that are committed to doing it.

The last line of defense really is the American people, Mr. Speaker. The last line of defense is the American people standing on the most fundamental of rights, the First Amendment, which guarantees them the right to redress grievances, guarantees them the right to petition their government, guarantees them the right to freedom of assembly, guarantees them the right to freedom of faith, guarantees them the right to receive information from a free press.

We are relying on that amendment, Mr. Speaker, to stop these Republican efforts to snatch healthcare access out of the way, out of the hands of Americans. We are relying on Americans to stand up and say: We will not tolerate this—going to community meetings, going out on the street, using their rights as Americans to express their right to have health care. This is what the moment calls for.

Governors, even some Republican Governors, are saying: Wait a minute. This Medicaid expansion, you know, we used it. It is not so bad. It is helping us.

Their pleas are being ignored as well. We are at a critical moment: Will the American people continue to make the same advances that people all over the developed world have made with regard to health care?

You know, Europeans look at us and think there is something wrong with us. Even our northern neighbors look at us and say: Wait a minute. Health care is not a right down there?

No. You get it if you can pay; and if you can't pay and answer somebody's bottom line, you are just out.

We pay the most for health care in the whole wide world, Mr. Speaker. We pay the most—the most—and yet we don't have the best outcomes. We don't have the best indicators of health. Yet our colleagues on the other side of the aisle want to return us to a day when the number one reason that people would declare bankruptcy was medical debt. That is the world we are looking at, and it is really, really something.

Now, many people have said—you know, Democrats say to me all the time, and I am sure they say it to Mr. RASKIN of Maryland: Hey, look, you know, there are things we would change in the Affordable Care Act.

We are not saying that it fell down from tablets in the sky. Of course, there are reasonable amendments that might be made. But I am here to say to you, Mr. Speaker, that the Republican caucus has never said: We will talk about how we are going to make reasonable amendments to make it better. They have only said to repeal, repeal, repeal.

They have also said replace, but everyone knows you cannot repeal and replace the Affordable Care Act because, if you repeal it, you are repealing all of the taxes that go along with paying for it. And if you repeal the taxes, you are going to tell me that a Republican caucus is going to levy a tax? They think tax is a four-letter word if somebody with a lot of money has to pay it.

□ 2000

Now, they are okay with fees and pushing down regressive taxes. They do that every day and all the time. If somebody with real means has to pony up, even though they are already wealthy, you could never see a Republican do that. It is just not something they are going to do.

The ACA has provided coverage to more than 20 million people. That is 20 million more people who have better patient care, access to doctors and medicines, and are no longer turned away because of preexisting conditions.

The Republican proposal puts the brakes on the progress we have made. People will lose access to insurance coverage. The Republicans gut the preventative health fund, which literally funds programs to invest in keeping people healthy.

Who do Republicans help?

Insurance and pharmaceutical corporations. They get huge tax breaks at the expense of the help and the future of the American people.

The Republican bill doesn't stop there. It is an outright attack on Medicaid. Seniors out there should know that the Republicans are attacking Medicaid. They are attacking Medicaid.

Medicaid is one of our most effective antipoverty programs and provides lifesaving care to millions of elderly, children, pregnant women, and people with disabilities. Republicans want to dismantle the program as we know it and kick people off and leave States to pay for the bill.

This bill takes away health care from women and shifts costs to the older, sicker people. It compromises the Medicare trust fund. It destroys Medicaid and gives tax breaks to corporations and millionaires. It is wrong, and the American people need to oppose it. And I oppose what they are trying to do.

Mr. RASKIN. Mr. Speaker, I hope the gentleman from Minnesota (Mr. ELLISON) will stick around. I want to salute him and congratulate him on his new position, not only as a leading Member of the United States House of Representatives, but now as vice chairman of the Democratic National Committee.

All of your colleagues are beaming with pride about your accomplishments and about your national political leadership, and we are delighted that the rest of the country is going to get to share in your leadership now in your new aggressive role out organizing opposition to what is taking place in Washington today.

I want to take a little break from railing about this unaffordable care act that is going to drive everybody's rates up and throw millions of people off their health insurance.

I want to say a couple of good things that President Trump said as a candidate because he attacked ObamaCare, but he said he wanted a system that covered everybody. He's been quoted many times speaking in favor of a single-payer plan that would cover every citizen. Now, that talk has completely dried up. It has vanished and disappeared.

I urge President Trump to go back to his original instinct, which is that, if you are going to repeal and replace ObamaCare—the Affordable Care Act, as he keeps saying—let's replace it with the kind of system they have in Canada, they have in Europe, and just cover everybody. That would be the direction to go in. But to go backwards to throw millions of people off their health care is precisely what the American people don't want.

Now, here is another proposal that President Trump mentioned in passing when he stood in this Chamber the other night. He said: Let's repeal the special interest lobbyist provision that was snuck into Medicare part D, saying that the government could not negotiate for lower drug prices with the pharmaceutical companies.

Again, that was a very popular talking point for Donald Trump when he was running for President. He campaigned like Williams Jennings Bryan, but he is governing like William McKinley; that is, a cabinet filed with CEOs and billionaires. He did mention that. That was one tiny crumb, a remnant of the populist campaign he ran.

I urge my Republican colleagues to throw this terrible bill that they are going to waste everybody's time on, that cannot pass, which their Freedom Caucus is totally opposed to; and, instead, focus, at least, on something we can agree on, which is that the 25 or $30 billion that that special interest provision is costing us should be saved. We should allow the government to negotiate for lower drug prices in the Medicare program the way we are allowed to negotiate for lower drug prices in the Medicaid program and in the VA program.

So we can work together in a bipartisan basis. However, we are not going to allow anybody to throw millions of Americans off of their health insurance plan while driving up everybody else's rates and bringing the whole healthcare system to the brink of ruin.

When I got elected to Congress, I went down to the basement of the Longworth House Office Building after I was sworn in to sign up for my health care because we get health care as part of our jobs as Members of Congress. We pay for it through the local ACA healthcare exchange in the District of Columbia, but we are guaranteed the right to get that because of the Affordable Care Act.

When I went down that morning, I was signing up and I was looking

through the memo about what we would be doing during my first week in Congress here. Sure enough, I saw that the GOP leadership had put on there a procedural proposal to set the stage for the dismantling of the Affordable Care Act.

I looked up to see a line of my new colleagues waiting to come and sign up for their health care. Some of them I recognized as my Democratic colleagues, and some of them I recognized as my new distinguished Republican colleagues. And I said to myself: Wait a second. Please tell me that we are not going to have new Members of Congress come in here and sign up for their own health care that they get as part of their job as Representatives in the United States House of Representatives and then go upstairs to this floor to vote to strip millions of people of their health care.

Surely that is not what democratic representation means in the 21st century; that we get to have health care through our jobs, but we are going to take away the health care that other people have. But, my friends, I am sorry to say that is the reality that we are in this week.

Congressman ELLISON is right, we are not taking the position that the Affordable Care Act is perfect. Far from it. I wasn't in Congress then. I don't know if the gentleman from Minnesota (Mr. ELLISON) was. I wasn't in Congress then. But had I been in Congress, I would have been fighting for a single-payer plan.

I am on legislation this session to support a single-payer plan. In other words, the Affordable Care Act, for me, doesn't go far enough in guaranteeing that everybody has health care and in dramatically reducing the role of the insurance companies so we can spend more money on health care and less money on red tape and bureaucracy.

So the Affordable Care Act, which I support with all of my heart right now against all the attacks to dismantle it, was a compromise. It was a very carefully crafted compromise. Remember, we had more than 100 witnesses come and testify about it. They had zero on their crash-and-burn legislation this week. We had dozens and dozens of hearings where we had witnesses come and testify about it. They have had zero on their crash-and-cash legislation—crash the system and give cash to the insurance companies and the wealthiest people in the country. So we had an open process, and it was a compromise.

I remember very clearly as a State senator in Maryland watching President Obama on TV saying, if we are starting from scratch, he would be in favor of a single-payer plan. He said that would be the logical way to go. It is what they have in Europe. It is what they have in Canada and Mexico.

He said we are path dependent. We are on a particular path. We understand the role that the big insurance companies play, and they have got a lot of political power, and we have got everybody on the GOP side screaming and shouting for the insurance companies. So he said let's figure out a plan where we keep the insurance companies involved.

Guess what? That plan was hatched at The Heritage Foundation, a conservative think tank in Washington, much beloved and revered by the GOP Members of this body. It was the exact same plan that Governor Mitt Romney, their standard bearer running for President a couple of elections ago, put into place in Massachusetts.

The Affordable Care Act was the compromise. Now everybody is on their case because they are hiding under their desks, they are running away from their constituents, and they are canceling their townhalls. Nobody could get a plan out of them.

Suddenly they pull a plan out of their sleeve in the middle of the night. They rush it through this body. They voted on it at, I think, 4:30 in the morning after a 27-hour hearing. Everything is meant to be under the cloak of darkness, and people are making fun of them about how silly it is.

I sympathize with them because there is nothing they can do because the Affordable Care Act was the compromise. Now, they wanted to name it ObamaCare, of course, because they couldn't stand the idea that President Obama would get the political credit for bringing tens of millions of Americans health insurance. So they had to name it on him and then make up all of these stories about how terrible it was.

Guess what? They wake up today. Nobody is calling it ObamaCare anymore. President Obama is doing his own thing. They are calling it the Affordable Care Act, and people are defending it all over the country in 50 States in every congressional district.

You have got indivisible groups that have grown up all over the place, and my dear colleagues on the Republican side of the aisle are afraid to face their own constituents. They are canceling their townhalls, they are hiding under their beds and behind their office sofas, which, in many cases, are the exact same pieces of furniture because they sleep in their offices here. They don't want to face the people and the fact that we do not want to turn the clock back and go backwards and wreck this system. It is a lot easier to destroy things than to build things.

So we urge the GOP: If you want to meet to make real substantial improvements, expansion of the Affordable Care Act to include more people, to reduce the cost of the bureaucracy, let's do it. But your plan is a terrible plan. Your plan is one that is going to throw millions of people off of their health insurance. Your plan is one that is built around a huge tax break and transfer of wealth upwards in the country—one of the biggest transfers of wealth in the country ever to go in the northward direction.

It is an amazing thing that that is how they have designed their plan.

So it is a huge tax break to the insurance companies and to the wealthiest people, and millions of others are thrown off of their insurance plans. Everybody else's premiums are going to be soaring, and the whole system is likely to come crashing down.

If a foreign government like Russia, for example, were trying to do this to us, we would consider it an act of aggression, an act of war against the American people in our health care. But this is, instead, coming from what used to be one of our great political parties, the party of that President who talked about government of the people, by the people, and for the people.

We have, instead, a wrecking ball targeted right at you, the American people, coming after your health insurance, your health care, your ability to participate as a citizen in our healthcare system. That is a remarkable thing to be taking place in 2017.

Mr. Speaker, I yield to the thoughtful gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN) for being so clear on the issues in front of the American people. It is so important that we have these Special Order hours so that we can really help the American people understand what is at stake; and what is at stake literally is the health and security of our Nation.

When we talk about security, usually people think about law enforcement and military. There is also the security that families can expect, the security of your health. In this situation, the Nation's security of health and family security is absolutely on the chopping block.

Let me give you an example of what I mean. In the district I represent in Minnesota—which I am so proud to represent the people of the Fifth Congressional District of Minnesota—we used to have an uninsured rate which we thought was low. It was 10.9 percent. If you remember, in the pre-Affordable Care Act days, 10.9 percent was pretty low. Well, now it is 6.6 percent. That means literally thousands of Minnesotans can now go and get regular doctor care rather than just show up at the ER.

Part of the way that we used the Affordable Care Act in Minnesota in the Fifth Congressional District is that the folks at HCMC set up something called Hennepin Health. What Hennepin Health does is it says: We are going to take some of these Medicaid dollars and we are going to help people who are chronic users of the ER system. We are going to work with other agencies and other providers in the community to help house them stably and then do regular medical surveillance with them.

Do you know what has happened with this program?

The costs at the ER have dropped through the floor. The money has been

saved because of the Affordable Care Act. Not only is it about the money—because if you talk to our Republican friends, all they want to talk about is money—something even more important has happened.

□ 2015

When you talk to the people who would go to the ER all the time, they are saying: I have somewhere to live. I have somebody who helps me stay on my medication. I am beginning to rebuild relationships with my family again. Schizophrenia can be very devastating to your mental health; and I was all out of control when I was off my meds, and I used to end up in the ER within an inch of my life. But now, because of the Affordable Care Act, I can get the care that I need, I can be stably housed, I can be productive in my community, I can be a participating family member again.

It has improved their lives.

I don't understand what the Republicans don't understand. It is a good thing to have people to have an option other than the ER.

I heard one of my colleagues on the other side of the aisle say, well, in America, if you show up at a hospital, there is a Federal law that says they have got to take you.

It is true that if you show up at an ER, somebody is going to have to let you in there. They may move you from one hospital to another, but, eventually, the law does say you will end up with somebody seeing you.

Guess what the medical professionals say about it? It doesn't work. It is the most expensive care. It is usually left to people who have allowed an illness to fester and to go on and to advance, which makes it more difficult to treat, more expensive to treat. It is the wrong way to run a healthcare system.

Yet, people have a straight face and say things like, well, you know, you can go to the doctor if you need to. It is called the ER.

This is absolutely not the right thing. And so here we are again, right at this hour where, really, things look kind of grave, and we need the American people to stand up and object. I tell you, we need people to say that they insist upon a humane society where a person suffering from schizophrenia, who is so afflicted by their illness that the only thing they can do is make it through the day and then, if they get sick, maybe somebody will take them to the ER.

We should have a society where that person can get the care they need, can get housing that they need, can be cared for, and can be a participating member in our society with just a little bit more help.

I think that is what makes us Democrats. That is the difference between us and them. We care about people. We believe people are inherently valuable and all have dignity, and we don't believe that you are only as worthy as what is in your pocket or your bank account. We reject that idea out of hand and believe that people must be—if you are too poor to work, too sick to work, too old to work, we believe our society should care for you; and I don't make any apologies to anybody for believing that.

I believe the government should do everything it can to make sure there are enough good-paying jobs for everybody. Lord knows we have got enough work to do around here, potholes here and there, school kids need help. We have got plenty of work to do. That is not the problem.

We have also got plenty of wealth. We have got plenty of wealth in our society. And I believe that if you live in this greatest of all countries in the world—and I believe that, I am so proud to be an American—and you are allowed to make a profit, which I believe in that, I am a former businessperson myself—I don't think it is asking you too much to put a little bit in the pot so some people who can't afford it can go to the doctor.

I don't think it is asking you too much to put a little bit in a pot so a kid can go to school, or so that a senior can get medication, or so that we can have clean water. I don't think it is too much.

But some people think it is too much to say that, even though I have been blessed by being an American and being able to pursue my economic dream, I don't want to give them anything. This is all for me.

I just don't—we are just not on the same page with that. We think that it is all right to make sure that we fund the basic necessities that people need to have a thriving, humane society, and that includes health care.

So tonight, I just want to say to people that it reminds me of a question that a lady asked Benjamin Franklin when Benjamin Franklin walked out of the Constitutional Congress in Philadelphia, way back so many years ago. The lady said to Benjamin Franklin: What do we have, Mr. Franklin? He said: A democracy if we can keep it.

Part of being a democratic society in this country right now means that we should have health care for people because this society can afford it. Part of what it means to have a civilized democracy in this moment means that people can rise up and lift their voices up to defend their right to have decent health care for all in this society; and we urge people to do that because it is the right thing to do, and this is the right time to do it.

So I want to just yield back to my friend from Maryland. I will be taking my leave at this point, but I want to thank the gentleman for holding down this very important Special Order because the Affordable Care Act is worth fighting for.

As you said, Mr. RASKIN, the Affordable Care Act is not perfect. What piece of legislation ever was?

We have amended the 1964 Civil Rights Act. We have amended the 1965 Voting Rights Act. We amend laws all the time because, as society changes and times change, the needs come up. But to just repeal and then not come anywhere close to replacing, it is wrong, and we must oppose it.

Mr. RASKIN. I thank the gentleman so much and, again, I salute him for his incredible work for the people of Minnesota and the people of America.

Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore (Mr. FASO). The gentleman from Maryland has 20 minutes remaining.

Mr. RASKIN. Mr. Speaker, I just want to tie up some loose ends by exploring a few of the points that Mr. ELLISON raised. But one of the very messy features of this legislation that is barreling through Congress this week is that the GOP leadership understood how popular the ban on denial of coverage for preexisting conditions is. That is going to be a mainstay of American life.

People should not be denied health care because they have a preexisting condition. That is the reason they should get health care, because they have a preexisting condition and they need it.

So they don't want to get rid of that. They understand that that is politically toxic. But they don't want to have the mandate for individuals to have to purchase insurance under the Affordable Care Act. That has been the major problem they have with the ACA. That is their major anathema. They can't stand that.

But guess what? You can't have one without the other. And if they believe in economics and they are being honest, they will have to concede that. Why?

Well, if I am a healthy young person, as I used to be, I will say to myself: Wow, an insurance company has got to cover me, even if I have got a preexisting condition, and I am perfectly healthy now, and I don't have to buy the insurance. So I am just going to go on my merry way, la-di-da, until maybe 1 day I have got a problem, I am in an accident, or I get some kind of diagnosis. At that point, I go to an insurance company, and they are going to cover me.

So they have kept the preexisting condition provision of ObamaCare, which is wildly popular in the country now. They are terrified to touch it now, although they were opposed to it before. But their proposal gets rid of the individual mandate, and it doesn't work. It will bankrupt the entire system. It is not going to work.

Now, another thing is that they are ignoring the extraordinary success of the Affordable Care Act. With whatever flaws it has got, it has been extraordinarily successful. It has dramatically reduced the number of uninsured people. It has insured more than 20 million people who did not have insurance before, and, therefore, it has dramatically reduced the number of people

showing up at the hospital in the emergency room with no insurance, and the hospitals have been obligated to see them.

And who pays for that? Guess who pays for it? You do, I do, the American public does when people show up without insurance. But the Affordable Care Act reduced, in a very significant way, the number of people showing up like that.

Now, in my home State of Maryland, we have seen extraordinary reductions in the numbers of people showing up in the emergency room without insurance because of the ACA. We have cut the uninsured rate by more than one-third in Maryland. We had a rate of 10.6 percent. Now it is down to 7 percent since the ACA was implemented.

All of the people who run the hospitals and our healthcare system are terrified that, if the GOP bull in the china shop wrecks the Affordable Care Act, what is going to happen is we are going to have hundreds of thousands of more visits every year in emergency rooms by people who are not covered by insurance, which means that the taxpayers get stuck with the bill again.

Now, let me tell you about my congressional district, the beautiful Eighth Congressional District, of which I am very proud. Everybody loves their district, but I do have the most beautiful, the most extraordinary district in the country. In Montgomery County, Maryland, in Frederick County, Maryland, and in Carroll County, it is gorgeous. Please come out and visit us in Bethesda, in Rockville, throughout Carroll County, throughout Frederick County. Come to Middletown, go to Thurmont, check it all out. It is beautiful. Come and visit us.

Look what has happened in the Eighth Congressional District. Well, as I said, we have reduced the uninsured rate by a third. We have 444,600 people in the district who have health insurance that covers preventive services today, like cancer screenings and flu shots, without any copays, without any coinsurance or deductibles, and they now stand to lose this access if the majority succeeds in eliminating the ACA provisions requiring health insurers to cover preventive services without cost-sharing.

We have got more than a half a million people in my district with employer-sponsored health insurance who are at risk of losing important consumer protections like the prohibition on annual and lifetime limits, protection against unfair policy rescissions, and coverage of preexisting health conditions if the ACA is entirely or partially repealed.

We have 21,400 people in the district who have purchased high-quality marketplace coverage, who now stand to lose their coverage if the marketplaces are dismantled.

We have 16,000 people in the district who got financial assistance to purchase marketplace coverage in 2016, who are now at risk of coverage becoming unaffordable, if they have their way and they eliminate the premium tax credits, and so and so forth.

Everything is dismantling the protections you have, making your premiums go up, throwing millions of people out of health insurance, and transferring lots of wealth upwards through the tax breaks that they want to give to wealthy people and insurance companies.

By the way, as I understand it, there is a provision that they want to repeal which capped the tax deductibility of insurance company executive salaries beyond a half a million dollars. They want to repeal that, so that would continue to be tax deductible. You could pay them millions of dollars, and they get the tax break because, of course, that is going to be their first priority, making the wealthiest executives in the health insurance companies whole.

Who cares what happens to everybody else, whether they lose their insurance, their premiums go sky-high? They know exactly where their bread is buttered. And that is just the icing on the cake.

Mr. Speaker, I don't think that their legislation can pass because the American people are too smart for it and will not stand for it. I don't think it will pass.

The President is already distancing himself from it. We all started calling it TrumpCare. The word went out that he didn't want it called TrumpCare. We think he knows that it is not going to pass, or, if it does pass, it is going to be a debacle of historic significance and moment.

None of them want it to be named after them. We have offered RyanCare, we have offered TrumpCare. None of them want to be associated with it.

I don't think it is going through. I understand that the Freedom Caucus, which thinks that there should just be a total free market, is going to vote against their plan, which they say is worse than ObamaCare, which they hated from the beginning. Although they are ideologically opposed to it, they know that ObamaCare is working, and they know that lots of people are being covered on it. And now they are going to be throwing millions of people off of ObamaCare, but they don't get what they want, which is a total free market.

Of course, a free market in health care doesn't work because health care is not a social domain where the market operates.

□ 2030

If you get sick or if you get injured, then you are just taken to the hospital. You don't have a lot of time to shop around for the best hospital or the best doctor. You just need to go in, which is why the civilized countries of the world that can afford it have gotten to the point of a single-payer plan. But they want to take us from the Affordable Care Act backwards. They want it to be a dog-eat-dog medical care system.

The American people are not going to accept that. They don't have a majority in Congress to do it, and it is the job of the minority in Congress which represents a majority of the people. Remember that the Democratic candidate for President received 1.9 million votes more than the Republican candidate for President. So it is the job of the minority which represents the majority of the American people, and it is the job of the people of the United States to say that we reject this sloppy, terrible plan that they are trying to rush through Congress. If they want to have discussions about actually improving things, we are very happy to do it. Otherwise, this cannot be accepted, and the American people need to pay very close attention to what is taking place in Congress this week.

I yield back the remainder of my time, Mr. Speaker.

## OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Florida (Mr. YOHO) is recognized for 60 minutes as the designee of the majority leader.

Mr. YOHO. Mr. Speaker, I appreciate the opportunity to spend time here with my colleagues. We just heard a diatribe from our colleagues. It is interesting to me to note how they say the American people don't want us to change this, but I have to remind my colleagues that I think the American people spoke very loudly on November 8. We have run multiple times to repeal this bill. I heard one of my other colleagues say that we voted over 60 times, and we are going to vote one more time to get rid of the Affordable Care Act because the American people have delivered that message to us, and we have a President that says that we will do this.

I think, as we go through this, we are going to have some interesting conversations. Considering all the bickering and posturing you see in the media by partisans on the left and the right, it is time for Members of this body to step back for a moment and take stock of where we are in the healthcare debate.

I was not a Member of Congress when the Affordable Care Act was passed. I was a practicing large animal veterinarian in private practice plying my trade and not a political animal, if you will. However, I was concerned to see the way the law was passed. My colleagues on the other side were talking about how this was rammed through Congress and how it was passed in the shadows—or how we are doing that now. But I have to remind them that in 2009 it was passed in the dark of night—no Republican input, no debate, and no discussion. It was just passed and rammed down the American people's throat.

I want to go on here, and I want to yield to a couple of my colleagues before I do.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA) because he has to go tend to some other business. I would like to have his input on this. DOUG LAMALFA is my good friend and a great leader up here.

Mr. LAMALFA. Mr. Speaker, I thank my colleague from California (Mr. YOHO), a good friend here, and my other colleagues here, to allow me the moment to speak.

Mr. Speaker, I am really excited about the opportunity with this new administration for relief for regular Americans from the Affordable Care Act. I think the intentions may have been good when it was passed, but we see the devastating effects from the many emails, letters, calls, and the communications my office received from middle-income families. They are the ones that are the most negatively affected by this act. We have seen their premiums and their deductibles go out of sight. They may not even need to have the insurance anymore because the deductibles are so out of reach for them on cost, so insurance means nothing to them.

Indeed, with most Americans having health insurance before the ACA that they were at least reasonably happy with, they have had that choice taken away from them. They have had choices taken away. My wife and I were sitting there in December 2013, being forced, just like everybody else, to enroll in a plan with a broken website trying to get it to go through. We knew at the time we were going to have big problems with that.

We even agreed with the Republican conference when we were on the eve of this taking effect. The President decided that maybe we need to have a 1-year pause for this for employers of 100 people or more. We agreed with that. We offered legislation because you are not supposed to just do that with the stroke of a pen. Indeed, it was duly passed legislation with all Democrat votes, no Republican votes, just a few short years before. We agreed, let's lay this for a year, if nothing else, for those larger employers.

But we also said: Mr. President, we should also delay it for everybody else because we know it isn't going to work. We know this is going to do nothing to curb costs. That really is the bottom line. It is the middle-income families that I am really worried about in this thing because, again, we received so many communications from them saying: Please help us. We can't afford it. We are putting off being able to buy a home because we are seeing these costs go up. We are putting off college savings for our kids because our costs are spiraling out of control.

So if we do nothing else in the process, again, are we going to come up with the perfect bill?

There is no perfect bill when you have this many years of the type of government takeover of health care that we have seen here. But we are going to do the best we can because it is those folks out there—middle-income Americans—that we are trying to help to bring relief from the ACA so they can go back to doing the priorities they see: having affordable insurance, doctors they can choose, a plan they can choose, and being able to go off and do the things like saving for their kids' college and maybe buying that home that is part of the American Dream instead of the American nightmare they see it has been.

So I appreciate my colleague, again, having this time this night and for allowing me to speak for a few minutes.

Mr. YOHO. Mr. Speaker, I thank my colleague from California.

Mr. Speaker, as I was saying, I was concerned to see the way the law was passed. It was passed in the middle of the night. I thought it was passed through hastily and without transparency. I did not think that boded well for the law's success. Unfortunately, I was proven right.

If you remember the words of the then-Speaker of the House, it was passed without reading it, and the words were: We have to pass it to see what is in it. We have to pass it to see how it is going to work.

Talk about legislative malpractice that was poured on to the American people to get a bill they didn't want, that nobody read. Yet my colleagues on the other side are talking about how we are running this through without anybody's input. It has had 6 years of input, it is coming together now, and our goal is to fix health care for the American people.

As someone who has practiced medicine, I believe that, despite all the good intentions behind the Affordable Care Act, it was doomed to fail, as most Big Government programs are. In fact, one of the main reasons I ran was on behalf of patient-centered, free-market oriented health care. I supported and still support healthcare reform that allows us in Congress to keep our promises when we talk about what we want to achieve.

I was one of the Members that came up here who lost my health care because of the Affordable Care Act. My premiums have gone up over $11,000 since I have been here. My deductibles have gone up and my coverage has gone down. It is a disaster. I have to remind my colleague from Minnesota who was talking about how bad the Republican bill is that his own Governor from the State of Minnesota said that this bill is a disaster, the Affordable Care Act in its present form, and his premiums have gone up 45 percent in his own State.

I want to remind this body that many people lost health care they had before ObamaCare was passed with the promise that if you like your plan, you can keep it. It was broken by our own President of the United States. If you like your plan, if you like your doctor, and if you like your insurance company, your premiums will go down $2,500 on an average. Lie after lie after lie. The American people answered that by electing a majority in Congress to the Republican Party to fix that, and that is what we aim to do.

Supporters of the ACA also told us that the premiums wouldn't increase. It turned out that was false. Premiums in the individual markets have increased partly because ObamaCare has forced insurers to leave the exchange. For example, benchmark silver-level plan premiums have increased by an average of 25 percent from 2016 to 2017, according to the Department of Health. If you like the State of Arizona, the premium this year is going up an astounding 116 percent. They worry about us, and then they blame us for raising the cost of health care. Sophistry, pure sophistry.

Many families have been forced to pay drastically higher out-of-pocket costs, which hits their pocketbooks hard even though they are not wealthy people by any stretch of the imagination. As my friend, Mr. LAMALFA, was talking about the cost, at the end of the month people are finding out they are running out of money before they run out of the month.

I am reminded of one family in my district whom I met with personally many times over my tenure in Congress. They had to deal with the intense treatments and frequent hospitalizations for an illness that has hit two generations of their family very hard. They had coverage through an employer that they started out with, and it was a $350-a-month premium right before the ACA passed in 2010. However, around the time the ACA mandates kicked in, their plan went up over $100 a month. Today their premium is a staggering $680 a month. That is over $8,000 a year in premiums, nearly double what they were paying before the ACA. These are the people that sent us up here to fix health care. Unless you are making six figures a year, this is an absolutely painful sum.

Mr. Speaker, I may not generally be a supporter of government benefits, but I do believe very strongly that our government should make every effort in protecting our Nation's vulnerable population, especially the chronically ill. My concern is the ACA has resulted in those groups being harmed more than anybody else. Particularly for those who had employer-provided insurance prior to the ACA, the law's effect has been hurtful, especially if their coverage was for families afflicted by long-term illness. Simply put, no healthcare law should ever make things worse for people who were responsible and had health care to treat a medical condition. If anything, that is the opposite of health care.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN), who is a good friend of mine. Dr. BABIN has practiced dentistry in our military and in the private sector. Right after graduating dental school, he was commissioned in the Air Force as an officer and was stationed overseas. I thank the gentleman

for his service. He later returned to his native east Texas to open his own dental practice, which he operated for over three decades. He has served on the Texas State Board of Dental Examiners and as a member of the American Dental Association.

Mr. BABIN. Mr. Speaker, I thank the gentleman for holding a Special Order on a topic that could not be more relevant than at this very time: the failures of ObamaCare.

As a healthcare professional myself, the elected representative of over 700,000 constituents, and the grandfather of 13, I have a duty to see that access to medical care is more affordable for the welfare of my patients, for my constituents, and for the livelihood of my children and my grandchildren.

ObamaCare moved us away from the patient-centered affordable medical care—the traditional doctor-patient relationship—that we have enjoyed for well over a century. ObamaCare was designed by Washington bureaucrats who, unlike other Americans, are exempt from ObamaCare. In the last 24 hours, I have heard from nearly 1,000 of my constituents who are overwhelmingly begging me to repeal ObamaCare and replace it with a bill that restores their healthcare freedom.

That is no surprise to me. I have heard from thousands of my constituents, including my own patients and my own family members, about how their premiums have skyrocketed and their deductibles have skyrocketed. They have health insurance, but they can't afford to access medical care because their deductibles are too high and their longtime family doctors are no longer accepted as providers in their new health insurance. They have to drive long distances to get to a new and different doctor in their medical plan. They have had medical care interrupted. Simply put, they want this ObamaCare nightmare to end.

A truck driver from Hardin County told me how she was forced to switch plans last year from the PPO that she wanted to keep to an HMO that she did not want. This has made it significantly more difficult for her to find a doctor to accept her insurance when she gets sick out on the road even though she pays much higher in premiums than she did last year for her PPO.

Melissa, who lives in Harris County, has the same story. Last January she had to switch her family to an HMO plan because of ObamaCare's limited choices in her community. This forced her family to leave their doctor of 20 years and their local pharmacy.

Melissa said: I have always been a very responsible American citizen, yet ObamaCare told me what kind of plan that I had to buy.

□ 2045

This is what ObamaCare does. It makes decisions for patients instead of the other way around. Brute Federal force.

The message is clear: ObamaCare's top down, Big Government approach is leading to higher premiums, less choice, and insufficient access for people in my district and all across this great land of ours. These higher out-of-pocket costs and premiums have priced too many Americans out of the insurance market altogether.

Melinda, who lives in the county next to me, had an ObamaCare plan last year and paid nearly $600 a month. She also had a $3,000 deductible. She had to spend over $10,000 before her health insurance plan paid for anything. Even with these high premiums, her insurance plan would not cover many of her asthma medicines or the cataract surgery that she desperately needs.

This year, when her premiums went up another $100, she dropped coverage altogether. Under ObamaCare, now she has lost affordable coverage, and she must pay a penalty, a tax.

Angela, from Harris County, actually decided to sign up for an ObamaCare plan after going uninsured for some time. Unfortunately, she soon realized that the cost vastly outweighed the benefits. So this year, she chose again to go without insurance. Now she pays the ObamaCare tax.

Others in my district don't want insurance coverage or only want catastrophic coverage. Yet, they are forced to pay expensive fines. Their freedom of choice is grossly limited.

Gina, a hardworking single mother and businessowner told me that she is now forced to use the little bit of money that she gets from her tax refund to pay the ObamaCare tax.

Charlie from Harris County says that he wants me to vote to repeal the individual mandate, stating that ObamaCare has forced him to buy a product that he doesn't want.

ObamaCare relies on force and coercion, but this is not the American way. If ObamaCare is so good, why did a larger percentage of Americans elect to pay the penalty than to take the subsidy for their coverage last year? The American people deserve much better.

I have got hundreds of similar stories, including those from a college student who couldn't work more than 27 hours a week over her Christmas break to earn money for school because the ObamaCare law imposed costly mandates for her employer if she does.

ObamaCare is in a death spiral and is imposing too much pain and suffering on the American people. Premiums have gone up, on average, by 25 percent across the country for enrollees this year alone. Some States, like Arizona, had a 116 percent increase in premiums.

Twenty-five percent of Americans have only one health insurer to choose from, and 50 percent of Americans live in areas with only two insurance providers. Folks, that is not a choice.

The complaints I am hearing now are at a fever pitch, and the American people are demanding a change now. We need a patient-centered healthcare system driven not by mandates and coercion, but by freedom and choice for my patients, for my constituents, for my family, and for all Americans.

Mr. YOHO. Mr. Speaker, I appreciate Dr. Babin's comments. He is very astute. He has been around health care. You know how this thing is not working and the strain it has put on people in your district, as it has in mine, and people around the country.

I am relieved that Congress is moving forward on legislation to right these wrongs. It feels so good to be a Member of Congress today to live up to a campaign promise that everyone in the majority in the House, Senate, and executive branch says: We are going to fix this; trust us. I have the complete confidence in that. I look forward to engaging with my colleagues.

Mr. Speaker, I yield to the gentleman from Washington (Mr. NEWHOUSE). He is a farmer, small-business man, and good conservative who understands the importance of keeping government out of our healthcare system.

Our country's farmers have been hit hard, just as much as others, by ObamaCare. Congressman NEWHOUSE is, no doubt, well aware of these issues.

Mr. NEWHOUSE. Mr. Speaker, I thank my friend for his leadership on this issue this evening and throughout this year. I also want to thank him for the opportunity to address the House of Representatives on this very important issue that we are dealing with right now.

Mr. Speaker, throughout my time representing the good people of central Washington State in the U.S. Congress, constituents from across my district, the Fourth District, have shared with me their deeply personal stories. These are personal stories about the struggles and the hardships that they have experienced and that they have faced since the passage of the Affordable Care Act.

So let me just relate to you a couple of those because I think they are very important and help illustrate exactly what it is that we are trying to correct.

In late 2016, a gentleman from the city of Yakima wrote to me in distress, as his insurance provider was pulling out of Yakima County.

He told me: My wife and I are losing our healthcare coverage. Our financial lives are about to be radically changed and a literal risk to our health is upon us. The challenge to find affordable, acceptable healthcare insurance will be immense.

That is not unlike another story that I heard in early 2015. A young woman from Grandview wrote to describe her dire situation being forced on to the Affordable Care Act exchange.

She told me: I was paying $231 a month for a policy that had a $500 deductible with a $10 copay.

However, under the ACA, she said her healthcare costs have skyrocketed.

She continues: I now pay $475 a month for a policy that has a $5,500 deductible. This is not affordable health care.

It is the middle class American who has worked hard to have a good retirement who is being hit hard by this.

Another gentleman from West Richland recently pleaded that the many middle class workers like him must not be forgotten as we repeal and replace this broken law.

He says: Do not forget us when fixing. We liked our plan, and we lost it.

Just last week, a farmer from Moses Lake called my office and said that, before the ACA, he was paying less than $200 a month for a catastrophic plan that provided coverage for his family. Now he is forced to pay $1,000 a month with high deductibles that discourage his family from even being able to use and access the healthcare insurance that they are paying for.

These are just some of the many stories of the dozens, the hundreds that I have been hearing from over the last couple of years since I started representing the good people of central Washington.

Like I said, these are true stories, personal stories of the struggles that people are facing on a daily basis and have pleaded with us to take strong action to deliver them from this situation that they find themselves in. I think it is similar across the country. As you hear tonight from other Members speaking about their districts, you are hearing similar stories.

So that is something that, I think, as we debate the best way to repeal and to replace the Affordable Care Act, I am committed to ensuring that we protect the most vulnerable.

I am also committed to providing relief for the majority of everyday, middle class Americans who have been devastated by this misguided and broken law.

Let me just say: I hear you, I will not forget about you, and I will keep your stories at the forefront of my mind as we work to fix this failed system.

Mr. YOHO. Mr. Speaker, I thank my good colleague from Washington State. I appreciate his words, his thoughtfulness, and the stories. You learn more from a story than you do facts and figures.

I want to go over a couple of things here. As we have heard, the average increase of health plans in the United States rose by over 35 percent. I already talked about Arizona: 116 percent this year alone.

The insurance exchanges that were set up—the 26 in the beginning—are down to 5, with some counties not even having exchanges to purchase insurance.

I think for the people that are watching this at home, whether they are Members of Congress, the American citizens, I want you to listen to this, and I want to take you back to the information that came out when the Speaker of the House then talked about, we have to pass it to see what is in it, how it is going to work. Then I want you to picture the words of the architect of this bill, Jonathan Gruber: The lack of transparency and the stupidity of the American voter helped ObamaCare pass.

The Democrats want to blame this body, the Republicans, for wrecking health care. This is what they passed on us and the American people.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. CARTER), who is the only pharmacist serving in Congress. As a healthcare professional, he knows these issues very well.

He is the co-chair of the Community Pharmacy Caucus and sits on one of the main healthcare committees in Congress, the Committee on Energy and Commerce. He ran his own business, like me, and witnessed firsthand the problems that government regulations and red tape cause on job creators, large and small.

I want to remind folks, too, that there were over 22,000 pages of rules and regulations that came out of the Affordable Care Act.

Mr. CARTER of Georgia. Mr. Speaker, I want to thank my good friend, the gentleman from Florida, Representative YOHO, for this opportunity and for hosting this tonight to discuss how ObamaCare is affecting folks at home.

Consider the case of Bob Joiner, an independent adviser in south Georgia. His wife, Kim, is an audiologist who works in a small practice that does not provide healthcare benefits.

Bob and Kim exercise regularly, they watch their nutrition, and they are fortunate to not have any health problems. They also have a 28-year-old son named Wesley.

In 2016, Bob's monthly healthcare premium increased 134 percent, and his son's climbed to an astonishing 190 percent. In total, their 2016 annual premiums were $4,285.56 for their son Wesley and $19,026.12 for Bob and Kim.

The Joiners should have been hopeful that, in 2017, they could change their plan for something more affordable. But thanks to the Affordable Care Act, that wasn't the case. This year, only one Affordable Care Act-compliant plan was accessible to them on the healthcare.gov website. An additional policy featuring a higher deduction with lower premiums was available. However, the plan was not ObamaCare-compliant, leaving the Joiners subjected to the Affordable Care Act penalty.

Before ObamaCare, the Joiner family's annual premium for the whole family—the entire family—was $7,428. At the time, they had access to multiple providers and dozens of plan designs. Unfortunately, ObamaCare has brought chaos into the healthcare system.

I want to repeat that again. Before ObamaCare, the family's annual premium for the whole family—for Bob, Kim, and their son Wesley—was $7,428. Last year, just for Wesley, it was $4,285. For Bob and Kim, it was $19,026. Folks, that is just astonishing. That is not right.

The Joiners are not alone when they explained that they are unable to save for retirement or pay down their mortgage because of progressive increases in healthcare costs. Patients across the country now face this grim reality because ObamaCare has failed.

Just as the Joiners saw patient costs are skyrocketing, last year the Obama administration even admitted that premium hikes were coming for this year's healthcare plans.

It turns out the national average premium increase is an astonishing 25 percent. That is the average. In seven States, it is more than 50 percent. Unbelievable.

Well, Mr. Speaker, today is a new day. This afternoon, the Energy and Commerce Committee completed a marathon markup of its portion of what was ultimately to be the ObamaCare reconciliation bill.

□ 2100

It was an honor to be a part of that. Twenty-seven hours and 27 minutes we met, and we finally got it out of committee. Now it goes to the Committee on the Budget, along with the bill that the Committee on Ways and Means has sent. So those two bills will be put together and they will go to reconciliation.

Mr. Speaker, I am proud to have been a part of this historic opportunity, taking the first meaningful steps toward entitlement reform and replacing ObamaCare. I thank all of my colleagues who are here this evening taking part in this Special Order as well as thank each Member of Congress who has and continues to take a stand against the idea of a top-down, one-size-fits-all approach to health care.

Our plan presents a better way. The American Health Care Plan will give us access and affordability. It will give us patient-centered health care. Enough of this top-down, cookie-cutter approach that we have had, thinking that everything from Washington, D.C., is better, thinking that we know what the States need. That is not right. What we need is to empower patients. What we need is to have patients in control of their healthcare system, and this is what the American Health Care plan does. It empowers patients through health savings accounts, through tax credits, reforming Medicaid. The American Health Care Plan is on its way. I am excited. I am excited for America.

I, again, thank Representative YOHO for hosting this Special Order. We appreciate your work. I thank all Members of Congress who have had a part of this on both sides of the aisle. I thank everyone. Help is on the way: better health care, market-based health care, where competition and choices will be the case, where insurance companies will be fighting for your business, where you will have choices, where you will have competition in the market. That is what we need. That is what is going to bring healthcare costs down.

Mr. YOHO. Mr. Speaker, I thank Dr. CARTER. I appreciate his being here. The effort he has put in, working diligently to help us right this wrong that

has been instilled upon the American people.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS), a great colleague of mine who is the chairman of the Subcommittee on Biotechnology, Horticulture, and Research of the Committee on Agriculture; a member of the Committee on Transportation and Infrastructure; and the Committee on House Administration.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank Mr. YOHO for leading this Special Order tonight to talk about this issue. It is an issue important to the entire country and all hardworking taxpayers of America.

1.4 million people were kicked off their plans and forced to purchase different insurance plans. We saw 45 to 55 percent premium increases in my home State of Illinois in 2017. Deductibles have increased 64 percent nationwide. 31 million people can't afford to use the insurance they have because their deductibles are so unaffordable and high.

One-third of the Nation only has the option of one insurance provider on the $2 billion websites that we know as the ObamaCare exchanges, a monopoly that drives up costs, and 75 percent of people in my home State of Illinois have one or, at most, two providers.

One in four people in Illinois are on Medicaid. That is unsustainable for a State with an $8 billion budget deficit.

These statistics tell us ObamaCare is collapsing, and if we do nothing, we will be leaving millions of Americans without any option for healthcare coverage. But we are not offering this alternative because of statistics. We are doing it for Rich and Sandy in Pana, Illinois, whose deductibles went from $300 to $2,000 per person for less coverage. We are doing it for Janet from Edwardsville, whose family plan was considered a Cadillac plan and was replaced with a plan that had a $6,000 deductible. We are doing it for Lynne, a farmer in Springfield, Illinois, who provides insurance for her barn manager, but the best she could find after ObamaCare was one with a premium that increased by more than $100 and increased her out-of-pocket expenses by another $1,000.

This is our one shot to fix our failing healthcare system for the constituents I just mentioned and the millions more across the U.S. who have had the same thing happen to them. This is a pretty good bill to start with. After 4 years of watching premiums more than double, deductibles skyrocket, and choices dwindle for my constituents under ObamaCare, I am proud to be part of a responsible healthcare solution to lower costs and increase options for individuals and families.

The American Health Care Act may not be the exact bill we would have written to reform our healthcare delivery system prior to ObamaCare, but we can't go back in time. We have to face reality, and the reality is we have States like Illinois who chose to expand Medicaid, and we can't abruptly rip coverage away from them like ObamaCare did for 1.4 million Americans.

In addition to protecting people with preexisting conditions and allowing young adults under the age of 26 to remain on their parents' insurance, those who currently qualify for Medicaid will remain covered until their economic situation improves.

Our goal should be to ensure that every single person who wants a career, a good-paying job, and wants to get off of Medicaid should be our priority. But when their situation does improve, which is, again, what all of us should hope for, then we help them with monthly, portable, age- and income-based tax credits that will go directly toward paying their health insurance. These also help those who were left behind by ObamaCare, middle class Americans who were forced to buy insurance with costly premiums and deductibles but did not qualify for subsidies.

This is just the first part of our plan, which can be done through the budget reconciliation process. Next is making changes to lower the overall cost of health care so these tax credits go further for every American. We have one chance to fix this for the American people because ObamaCare is collapsing, and I urge all of my colleagues to support this plan.

I thank again my colleague, Mr. YOHO, for leading this effort tonight.

Mr. YOHO. Mr. Speaker, I thank the gentleman from Illinois (Mr. RODNEY DAVIS). He brought up a very astute point. This is collapsing on itself. If we were to do nothing, this would collapse, and the American people would be left without any coverage. We have heard other people on the other side say: Leave it alone.

That is irresponsible, and we will not do that. We will repeal and replace the Affordable Care Act, and we remove it from Washington bureaucrats and government mandates. If government can tell you what kind of insurance to buy, you have to buy it, and if you don't, they penalize you, what else can they force you to do?

Our Constitution is not a function of the government. Government is a function of the Constitution. Yet when government steps beyond the boundaries of the Constitution, it is up to us, we, the people—and we are the representatives of we, the people—to change how government works. That is what we are doing with the repeal and the replacement of the Affordable Care Act. We have heard about the nightmare this has caused to the American people, to our economy, the loss of jobs, the depression of job growth, wage growth. We can go on and on for hours, but it is not going to fix this problem.

What I want to focus on for the next few minutes is what the replacement does do. We have heard about the mandates that are going away, the taxes that are going away, the expansion of Medicaid. The reality in America, our country is in financial dire straits. It is unsustainable. It would be imprudent for us to sit by and do nothing while the country goes into default.

So with the direction we are going, this will bend the cost curve to Medicaid to make it solvent for a longer period of time. This will empower the individual to have health care and make those decisions between the doctor and the patient, the way it should be, instead of a government-controlled mandate.

This empowers individuals to be more responsible for themselves, to incentivize them to go out and buy health care by the use of health savings accounts, where they can buy over-the-counter medications to share with family members the benefit of the health savings account.

Republicans, Democrats, and Independents all want preexisting conditions covered, so that is something we all are in agreement with. There is the argument about should children be able to stay on their parents' policies until the age of 26. Personally, I don't think they should have to—I think they should be out on their own, but I have heard from enough people in my district that I am willing to compromise and go along with that. Truth be known, children could already stay on their parents' health plan until the age of 26 if they were actively enrolled in college or disabled. So we are compromising.

This will make health care better. It puts health care into the hands of the American people and their doctors and drives government out of it. Let them oversee the process.

We have heard over and over again that we need to open up the market across State lines. There is legislation coming out that will free up the insurance companies. We are introducing legislation to hold harmless insurance companies now, before we get through with this process, so that insurance companies are not held to the standards of the Affordable Care Act, so that they can start writing policies today when this legislation passes, so they can write their policies and start marketing now so that the American people will have time to research these products.

There will be a transition period. I can't guarantee it is going to be smooth. I can guarantee you it will be smoother than the last one.

I think the last thing I want to leave the American people with is we don't want to pull the rug out from anybody. We will do everything possible, and I know on both sides of this. I would think the Democrats, with the debacle that they created, the legislative malpractice that they passed in the dark hours of the night in December of 2009 or 2010, that they would want to come to the aid to fix health care for the American people instead of chastising us and telling us how bad and how wrong we are to interfere.

This plan is going to collapse on its own. We invite them to come to the table to help us fix this because this is for all Americans, not just Republicans. It is for all Americans—Republicans, Democrats, Independents, everybody. I would hope they would come and help us do this.

I think the last thing, Mr. Speaker, is this is a historic opportunity. The Wall Street Journal said never before has there been a chance to change a program as significant as what we are getting ready to do. We are the ones who are going to lead this effort to bring healthcare stability to the American people.

I look forward to the discussions in the future. I ask the American people to believe in the people you sent up here to fix this. We are going to get it right.

One last thing. I will guarantee you that this bill will be read before it is passed, and we will know how it is going to work.

Mr. Speaker, I yield back the balance of my time.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JEFFRIES (at the request of Ms. PELOSI) until 4 p.m., March 8.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 496. An act to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled ''Metropolitan Planning Organization Coordination and Planning Area Reform''; to the Committee on Transportation and Infrastructure.

## ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled Joint Resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 37. Joint Resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

H.J. Res. 44. Joint Resolution disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

H.J. Res. 57. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

H.J. Res. 58. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

## SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

## ADJOURNMENT

Mr. YOHO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Friday, March 10, 2017, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

752. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exhibit Hyperlinks and HTML Format [Release Nos.: 33-10322; 34-80132; File No.: S7-19-16] (RIN: 3235-AL95) received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

753. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Streptomycin; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0540; FRL-9957-65] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

754. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxytetracycline; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0539; FRL-9959-19] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

755. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flupyradifurone; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0557; FRL-9958-75] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

756. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan; Owens Valley Serious Area Plan for the 1987 24-Hour PM10 Standard [EPA-R09-OAR-2016-0660; FRL-9958-80-Region 9] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

757. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Yolo-Solano Air Quality Management District [EPA-R09-OAR-2016-0245; FRL-9958-43-Region 9] received March 8, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

758. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revitalization of the AM Radio Service [MB Docket No.: 13-249] received March 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

759. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Commercial Prerinse Spray Valves [Docket No.: EERE-2014-BT-STD-0027] (RIN: 1904-AD31) March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

760. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting a report in accordance with 5 U.S.C. 552b(j), the annual report for Calendar Year 2016, of the United States Railroad Retirement Board, in compliance with the Government in the Sunshine Act, Public Law 94-409, as amended; to the Committee on Oversight and Government Reform.

761. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, Office for International Affairs and Seafood Inspection, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Affairs; Antarctic Marine Living Resources Convention Act [Docket No.: 120201087-6641-02] (RIN: 0648-BB86) received March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

762. A letter from the Deputy Chief, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 1.80(b) of the Commission's Rules; Adjustment of Civil Monetary Penalties to Reflect Inflation received March 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 654. A bill to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes; with an amendment (Rept. 115–30). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 1117. A bill to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster; with an amendment (Rept. 115–31). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 1214. A bill to require the Administrator of the Federal

Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes (Rept. 115–32). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LYNCH (for himself, Mr. KATKO, Mr. KENNEDY, and Mr. GARAMENDI):

H.R. 1442. A bill to extend the period of eligibility for non-competitive appointment of Peace Corps and VISTA volunteers and certain overseas employees, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Mr. WELCH, Mr. CARTWRIGHT, and Ms. ESHOO):

H.R. 1443. A bill to promote energy savings in residential buildings and industry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Budget, Financial Services, Science, Space, and Technology, Transportation and Infrastructure, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. GENE GREEN of Texas, Mrs. ROBY, Mr. HURD, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 1444. A bill to authorize the Department of Labor's voluntary protection program; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. ABRAHAM, Ms. DELAURO, and Mr. TAKANO):

H.R. 1445. A bill to amend title 38, United States Code, to provide for the circumstances under which the Secretary of Veterans Affairs shall provide reimbursement for emergency ambulance services; to the Committee on Veterans' Affairs.

By Ms. VELÁZQUEZ (for herself, Mr. GALLEGO, Ms. MOORE, Mr. SOTO, Ms. MCCOLLUM, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. CORREA, Mr. MCGOVERN, and Mr. GUTIÉRREZ):

H.R. 1446. A bill to amend section 287(g) of the Immigration and Nationality to prohibit State and local officers and employees from performing immigration officer functions; to the Committee on the Judiciary.

By Mr. TAYLOR (for himself and Mr. SCHNEIDER):

H.R. 1447. A bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sex or sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. HIMES (for himself, Mr. WELCH, Mr. MOULTON, Mr. GALLEGO, Mr. JONES, Mr. SCHRADER, and Miss RICE of New York):

H.R. 1448. A bill to prohibit funds available for the United States Armed Forces to be obligated or expended for introduction of the Armed Forces into hostilities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. ROHRABACHER):

H.R. 1449. A bill to require a report on the designation of Pakistan as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ISSA (for himself, Ms. WASSERMAN SCHULTZ, Ms. ROS-LEHTINEN, Mr. CURBELO of Florida, Mr. DUNCAN of South Carolina, and Mr. DEUTCH):

H.R. 1450. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 1451. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 1452. A bill to amend title 5, United States Code, to prohibit any payment for lodging and other travel expenses by the Federal Government for any such expenses incurred at a hotel owned or operated by the President; to the Committee on Oversight and Government Reform.

By Mr. JOHNSON of Georgia (for himself, Mr. VARGAS, Ms. JUDY CHU of California, Mr. MCGOVERN, Mr. SWALWELL of California, Mr. SOTO, Mr. TAKANO, Ms. NORTON, Mr. RASKIN, Mr. COHEN, Mr. GRIJALVA, and Mrs. WATSON COLEMAN):

H.R. 1453. A bill to reaffirm the commitment of the Department of Homeland Security to countering all forms of extremism, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself and Mr. POLIQUIN):

H.R. 1454. A bill to exempt certain 16- and 17-year-old individuals employed in logging or mechanized operations from child labor laws; to the Committee on Education and the Workforce.

By Ms. BONAMICI:

H.R. 1455. A bill to provide for the restoration of Federal recognition to the Clatsop-Nehalem Confederated Tribes of Oregon, and for other purposes; to the Committee on Natural Resources.

By Mr. ROYCE of California (for himself, Mr. SABLAN, Ms. LEE, Mr. BLUMENAUER, Mr. KINZINGER, Mr. FARENTHOLD, Mr. GRIJALVA, Mr. COHEN, Mr. KATKO, Mr. MEEHAN, Mr. HUFFMAN, Mr. WEBER of Texas, Mr. GARRETT, Ms. KAPTUR, Ms. MCSALLY, Mr. MCNERNEY, Mr. CONNOLLY, Mr. FITZPATRICK, Mr. CHABOT, Mr. CURBELO of Florida, Ms. BORDALLO, Mr. KEATING, and Mrs. RADEWAGEN):

H.R. 1456. A bill to prohibit the sale of shark fins, and for other purposes; to the Committee on Natural Resources.

By Mr. TIPTON (for himself, Mr. HULTGREN, Mr. MCHENRY, Ms. SEWELL of Alabama, Ms. SINEMA, and Mr. DAVID SCOTT of Georgia):

H.R. 1457. A bill to establish requirements for use of a driver's license or personal identification card by certain financial institutions for opening an account or obtaining a financial product or service, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. POCAN, Mrs. NAPOLITANO, Mr. ELLISON, Mr. HUFFMAN, Mr. CARTWRIGHT, Mr. LARSEN of Washington, Mr. CAPUANO, Ms. CLARK of Massachusetts, Mr. DEUTCH, Mr. BEYER, Mr. MOULTON, Mr. SIRES, Ms. SCHAKOWSKY, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HASTINGS, Mr. COHEN, Mr. GRIJALVA, Mr. WELCH, and Ms. MCCOLLUM):

H.R. 1458. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax on gasoline, diesel, and kerosene fuels; to the Committee on Ways and Means.

By Mr. EMMER:

H.R. 1459. A bill to place the Financial Stability Oversight Council and the Office of Financial Research under the regular appropriations process, to provide for certain quarterly reporting and public notice and comment requirements for the Office of Financial Research, and for other purposes; to the Committee on Financial Services.

By Mr. YOUNG of Iowa (for himself and Mr. HENSARLING):

H.R. 1460. A bill to require the identification of certain persons who participated in a rule making in publications related to such rule making, and for other purposes; to the Committee on the Judiciary.

By Mr. ARRINGTON:

H.R. 1461. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report to Congress relating to the use of official time by employees of the Department of Veterans Affairs, to limit the instances in which official time may be granted for certain purposes to employees of the Department, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS:

H.R. 1462. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to allow States, in accordance with State law, to let Federal funds for the education of disadvantaged children follow low-income children to the public school, charter school, accredited private school, or supplemental educational service program they attend, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BURGESS:

H.R. 1463. A bill to prohibit the Secretary of Homeland Security from granting a work authorization to an alien found to have been unlawfully present in the United States; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. COHEN, Mr. CURBELO of Florida, Mr. KILMER, Mr. MCGOVERN, and Mr. SOTO):

H.R. 1464. A bill to direct the National Institute of Standards and Technology to convene an effort to make available to standard-developing organizations a consistent, authoritative set of climate information, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CASTRO of Texas (for himself, Mr. HURD, Mr. DOGGETT, Mr. SMITH of Texas, and Mr. CUELLAR):

H.R. 1465. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security.

By Ms. CLARK of Massachusetts (for herself, Mr. NOLAN, Ms. SÁNCHEZ, Ms.

LEE, Mr. SWALWELL of California, Mr. DESAULNIER, Ms. NORTON, Mr. RUSH, Mr. ELLISON, Mr. SOTO, and Mr. CLEAVER):

H.R. 1466. A bill to amend the Internal Revenue Code of 1986 to provide a high quality child care tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. COHEN (for himself and Mr. KINZINGER):

H.R. 1467. A bill to direct the Administrator of the Federal Aviation Administration to prescribe regulations establishing minimum standards for space for passengers on passenger aircraft, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CURBELO of Florida (for himself, Mr. COFFMAN, Mr. DENHAM, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. AMODEI, Mr. VALADAO, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. UPTON, and Mr. REICHERT):

H.R. 1468. A bill to authorize the cancellation of removal and adjustment of status of certain aliens who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON (for himself, Mr. POLIQUIN, and Mr. JORDAN):

H.R. 1469. A bill to establish the Benefit Reform and Alignment Commission to consolidate and realign means-tested direct spending program outlays; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Agriculture, Natural Resources, Energy and Commerce, Financial Services, Transportation and Infrastructure, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGO:

H.R. 1470. A bill to amend the Immigration and Nationality Act to limit the grounds of deportability for certain alien members of the United States Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. GROTHMAN:

H.R. 1471. A bill to suspend assistance to countries denying or delaying accepting aliens ordered removed from the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself, Mrs. RADEWAGEN, Mrs. BEATTY, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. COHEN, Ms. ESTY, Mr. EVANS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. HANABUSA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. KAPTUR, Mrs. LAWRENCE, Mr. LYNCH, Ms. MOORE, Ms. ROSEN, Mr. RUSH, Mr. RYAN of Ohio, Ms. SHEA-PORTER, Ms. SINEMA, Mr. SOTO, Mr. TAKANO, Mr. WALZ, Mr. YOUNG of Alaska, Mr. RUPPERSBERGER, Mr. CICILLINE, Mr. RASKIN, Ms. PELOSI, and Mr. BILIRAKIS):

H.R. 1472. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Armed Services, Oversight and Government Reform, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. JONES, Mr. CAPUANO, Mr. HUFFMAN, Mr. POCAN, Mr. PALLONE, Mr. MCGOVERN, Mr. LEWIS of Georgia, Ms. FUDGE, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. DESAULNIER, Ms. BASS, Mr. HASTINGS, Ms. MOORE, Mr. RASKIN, and Ms. VELÁZQUEZ):

H.R. 1473. A bill to prohibit the deployment of members of the Armed Forces to Syria for purposes of engaging in ground combat operations, and for other purposes; to the Committee on Armed Services.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1474. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CUMMINGS, Mr. MEEHAN, Mr. KING of New York, Ms. KELLY of Illinois, and Mr. DONOVAN):

H.R. 1475. A bill to prevent gun trafficking; to the Committee on the Judiciary.

By Mr. MOOLENAAR:

H.R. 1476. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Mr. MCGOVERN, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. SOTO, Ms. MCCOLLUM, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. POCAN, Mr. FOSTER, Ms. CLARK of Massachusetts, Mr. VELA, Mrs. TORRES, Mr. HASTINGS, Mr. RUSH, Ms. CLARKE of New York, Mr. POLIS, Mr. GUTIÉRREZ, Mr. RASKIN, Ms. SÁNCHEZ, Ms. BROWNLEY of California, Ms. LEE, Ms. WILSON of Florida, Mr. TAKANO, Ms. BASS, Ms. WASSERMAN SCHULTZ, Mr. CLEAVER, Ms. SPEIER, and Mr. JOHNSON of Georgia):

H.R. 1477. A bill to prohibit the use of Federal funds to build a wall along the southern border, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MURPHY of Florida:

H.R. 1478. A bill to repeal the provision that in practice prohibits the Department of Health and Human Services from sponsoring research on gun violence in fiscal year 2017, and for other purposes; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 1479. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE (for herself, Mr. COHEN, Mr. LIPINSKI, and Ms. SLAUGHTER):

H.R. 1480. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Energy and Commerce.

By Mr. REED (for himself and Mr. LANGEVIN):

H.R. 1481. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. SIMPSON:

H.R. 1482. A bill to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Natural Resources.

By Mr. SIMPSON (for himself and Mr. PETERSON):

H.R. 1483. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself and Ms. STEFANIK):

H.R. 1484. A bill to authorize the Secretary of Health and Human Services to award grants to States to provide safety measures to social workers and other similar professionals who work with at-risk populations, and for other purposes; to the Committee on Education and the Workforce.

By Ms. STEFANIK (for herself, Mr. CURBELO of Florida, Mrs. BUSTOS, Mr. PETERS, Miss RICE of New York, Mr. MOULTON, Ms. SINEMA, Mr. KING of New York, Mr. HURD, Mr. KILMER, Mr. MESSER, Mr. MOOLENAAR, Mr. LOEBSACK, Mr. WELCH, Mr. FASO, Mr. DESAULNIER, Ms. BONAMICI, Mrs. DAVIS of California, Mr. BYRNE, Mr. WITTMAN, Mr. MACARTHUR, Mr. PAULSEN, Mr. COLLINS of New York, Mr. YOUNG of Iowa, and Mr. POLIS):

H.R. 1485. A bill to amend the Higher Education Act of 1965 to provide students with increased flexibility in the use of Federal Pell Grants, and for other purposes; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi:

H.R. 1486. A bill to amend the Homeland Security Act of 2002 to provide funding to secure non-profit facilities from terrorist attacks, and for other purposes; to the Committee on Homeland Security.

By Mrs. TORRES (for herself and Mr. O'ROURKE):

H.R. 1487. A bill to prohibit use of Federal funds to apprehend, detain, or remove from the United States any alien who was granted deferred action under the Deferred Action for Childhood Arrivals Program, if the alien lost their deferred action status solely as a direct or indirect result of any action taken by the President or another Federal official; to the Committee on the Judiciary.

By Mr. VISCLOSKY (for himself, Mrs. WALORSKI, Mr. BANKS of Indiana, Mr. ROKITA, Mrs. BROOKS of Indiana, Mr. MESSER, Mr. CARSON of Indiana, Mr. BUCSHON, and Mr. HOLLINGSWORTH):

H.R. 1488. A bill to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 1489. A bill to amend title 54, United States Code, to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for declaration of marine national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself and Mr. TED LIEU of California):

H. Res. 184. A resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to communications with the government of Russia; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself and Ms. ROS-LEHTINEN):

H. Res. 185. A resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history; to the Committee on Foreign Affairs.

By Mr. PASCRELL (for himself, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. SEWELL of Alabama, Mr. NEAL, Ms. ESHOO, Mr. DOGGETT, Mr. SARBANES, Ms. DELBENE, Mr. THOMPSON of California, and Mr. BLUMENAUER):

H. Res. 186. A resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump; to the Committee on Ways and Means.

By Ms. BASS (for herself, Ms. LEE, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. LEWIS of Georgia, Mr. CAPUANO, Mr. KEATING, Mr. CICILLINE, Mr. ESPAILLAT, Mr. SUOZZI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. KELLY of Illinois, Mr. CASTRO of Texas, Ms. GABBARD, Ms. FRANKEL of Florida, Mr. MEEKS, Mr. SIRES, Mr. DEUTCH, Mr. SCHNEIDER, Mrs. TORRES, Ms. WILSON of Florida, Mr. CONYERS, Ms. JACKSON LEE, Mr. COHEN, Mr. MCGOVERN, Mr. SMITH of New Jersey, Mr. SHERMAN, and Mr. HASTINGS):

H. Res. 187. A resolution relating to efforts to respond to the famine in South Sudan; to the Committee on Foreign Affairs.

By Mr. MCCAUL (for himself, Mr. ROYCE of California, Mr. ENGEL, Mrs. COMSTOCK, Mr. MCCLINTOCK, Mr. SESSIONS, Mr. KEATING, Mr. SHERMAN, Mr. YOUNG of Alaska, and Ms. JUDY CHU of California):

H. Res. 188. A resolution condemning the Government of the Islamic Republic of Iran for the 1988 massacre of political prisoners and calling for justice for the victims; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUNTER introduced a bill (H.R. 1490) for the relief of Roberto Luis Dunoyer Mejia, Consuelo Cardona Molina, Camilo Dunoyer Cardona, and Pablo Dunoyer Cardona; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LYNCH:

H.R. 1442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. MCKINLEY:

H.R. 1443.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. ROKITA:

H.R. 1444.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. COFFMAN:

H.R. 1445.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. VELÁZQUEZ:

H.R. 1446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have the Power to . . . regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mr. TAYLOR:

H.R. 1447.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RIMES:

H.R. 1448.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, clauses 11, 12, 13, 14, 18

By Mr. POE of Texas:

H.R. 1449.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ISSA:

H.R. 1450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, ''to regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes;''

Article 1, Section 8, clause 8, ''to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries,''

By Ms. SCHAKOWSKY:

H.R. 1451.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7

By Mr. BLUMENAUER:

H.R. 1452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution gives Congress the broad authority to provide for the ''general Welfare of the United States.''

By Mr. JOHNSON of Georgia:

H.R. 1453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1 and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. LABRADOR:

H.R. 1454.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

''The Congress shall have the Power . . . To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes''

By Ms. BONAMICI:

H.R. 1455.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. ROYCE of California:

H.R. 1456.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. TIPTON:

H.R. 1457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. BLUMENAUER:

H.R. 1458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. EMMER:

H.R. 1459.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. YOUNG of Iowa:

H.R. 1460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. ARRINGTON:

H.R. 1461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. BIGGS:

H.R. 1462.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. BURGESS:

H.R. 1463.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution of the United States: To Establish an uniform Rule of Naturalization.

By Mr. CARTWRIGHT:

H.R. 1464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

Article I; Section 8; Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Depaitinent or Officer thereof.

By Mr. CASTRO of Texas:

H.R. 1465.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION

ARTICLE I, SECTION 8: POWERS OF CONGRESS

CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the govermnent of the United States, or in any depattment or officer thereof.

By Ms. CLARK of Massachusetts:

H.R. 1466.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Constitution of the United States

By Mr. COHEN:

H.R. 1467.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. CURBELO of Florida:

H.R. 1468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4:

The Congress shall have Power * * * To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. DAVIDSON:

H.R. 1469.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constituion in the Government of the United States, or in any Department or Officer thereof.

By Mr. GALLEGO:

H.R. 1470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GROTHMAN:

H.R. 1471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. LANGEVIN:

H.R. 1472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. LEE:

H.R. 1473.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1474.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MOOLENAAR:

H.R. 1476.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

By Ms. MOORE:

H.R. 1477.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. MURPHY of Florida:

H.R. 1478.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Gun Violence Research Act of 2017 pursuant to Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Ms. NORTON:

H.R. 1479.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. PINGREE:

H.R. 1480.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. REED:

H.R. 1481.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Amendment XVI of the United States Constitution

By Mr. SIMPSON:

H.R. 1482.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. SIMPSON:

H.R. 1483.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. SINEMA:

H.R. 1484.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. STEFANIK:

H.R. 1485.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 1486.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mrs. TORRES:

H.R. 1487.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VISCLOSKY:

H.R. 1488.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the Constitution

By Mr. YOUNG of Alaska:

H.R. 1489.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. HUNTER:

H.R. 1490.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 4 of the United States Constitution

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. GALLAGHER.

H.R. 60: Mr. LAHOOD, Ms. ESTY, Mrs. LOVE, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Mr. HUIZENGA, Ms. HANABUSA, Mrs. COMSTOCK, Mr. YOHO, Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. CASTRO of Texas, Mr. GARAMENDI, and Mrs. MIMI WALTERS of California.

H.R. 289: Mr. O'HALLERAN.

H.R. 305: Mr. TED LIEU of California, Mr. GARAMENDI, and Mr. CUMMINGS.

H.R. 342: Mr. O'HALLERAN.

H.R. 355: Mr. GOODLATTE.

H.R. 369: Mr. BILIRAKIS and Ms. SINEMA.

H.R. 380: Mrs. COMSTOCK, Mr. MCCLINTOCK, and Mr. HILL.

H.R. 389: Mr. GARAMENDI and Mr. SENSENBRENNER.

H.R. 392: Mr. GUTIÉRREZ, Ms. ESTY, Ms. JUDY CHU of California, Mr. SMITH of New Jersey, Mr. DONOVAN, Ms. GRANGER, and Mr. SMUCKER.

H.R. 398: Mr. FITZPATRICK, Mr. BACON, Ms. LOFGREN, Ms. SHEA-PORTER, Mr. TED LIEU of California, Mr. DEUTCH, Mr. DENT, Mr. KING of New York, and Mr. SUOZZI.

H.R. 400: Mr. SMUCKER and Mr. LUCAS.

H.R. 422: Mr. GUTHRIE.

H.R. 427: Mr. KHANNA.

H.R. 457: Ms. SHEA-PORTER.

H.R. 489: Mr. DESAULNIER.

H.R. 502: Mr. SIRES, Ms. ROSEN, Ms. MCCOLLUM, and Ms. DEGETTE.

H.R. 539: Mr. JENKINS of West Virginia.

H.R. 548: Mr. SHUSTER.

H.R. 644: Mr. MCCLINTOCK, Mr. SAM JOHNSON of Texas, and Mr. WITTMAN.

H.R. 674: Mr. WALBERG.

H.R. 676: Ms. FUDGE.

H.R. 695: Mr. CARSON of Indiana.

H.R. 721: Ms. FUDGE, Mr. POSEY, and Ms. MCCOLLUM.

H.R. 747: Mrs. WALORSKI, Mr. BEN RAY LUJÁN of New Mexico, Mr. AGUILAR, and Mr. FRELINGHUYSEN.

H.R. 754: Mr. COHEN, Mr. DELANEY, Mr. GOSAR, and Mr. ROHRABACHER.

H.R. 757: Mr. JEFFRIES, Mr. KILMER, Mr. WALZ, Mr. PALLONE, and Mr. KENNEDY.

H.R. 771: Mr. DESAULNIER.

H.R. 785: Mr. GRIFFITH.

H.R. 804: Mr. O'ROURKE, Ms. KUSTER of New Hampshire and Mr. AGUILAR.

H.R. 807: Mrs. BEATTY, Ms. LOFGREN, Mr. BISHOP of Michigan, and Mr. DELANEY.

H.R. 813: Mr. DOGGETT and Mr. PAYNE.

H.R. 816: Mr. BEYER and Mr. TIPTON.

H.R. 820: Mr. LAMBORN, Mr. GRIFFITH, and Mr. VELA.

H.R. 828: Mr. RYAN of Ohio.

H.R. 846: Mr. AMODEI, Mr. THOMPSON of California, Mr. KIND, and Mr. KENNEDY.

H.R. 849: Mr. GRIFFITH.

H.R. 899: Mr. WILLIAMS.

H.R. 909: Mr. KRISHNAMOORTHI and Mr. SUOZZI.

H.R. 910: Ms. BLUNT ROCHESTER.

H.R. 914: Mr. JEFFRIES.

H.R. 918: Ms. GABBARD.

H.R. 919: Mr. GALLEGO.

H.R. 927: Ms. STEFANIK, Ms. SINEMA, Ms. JENKINS of Kansas, Ms. NORTON, and Ms. SHEA-PORTER.

H.R. 931: Mr. JONES, Mr. YOUNG of Iowa, Mr. KELLY of Pennsylvania, Ms. SPEIER, Ms. ROSEN, Mr. MCKINLEY, Mr. BROWN of Maryland, Mr. WITTMAN, and Mr. TURNER.

H.R. 1005: Mr. FASO, Mr. NEAL, Ms. MENG, Ms. PINGREE, Mr. WELCH, Mr. KILMER, and Mr. CARBAJAL.

H.R. 1006: Mr. AGUILAR.

H.R. 1022: Mr. CUMMINGS, Mr. TED LIEU of California, and Mr. BROWN of Maryland.

H.R. 1038: Mr. JODY B. HICE of Georgia.

H.R. 1045: Mr. EMMER, Mr. ROUZER, Mr. GRAVES of Georgia, and Mr. ARRINGTON.

H.R. 1046: Mr. KING of Iowa, Mr. LOEBSACK, Mr. SHIMKUS, and Mr. BUTTERFIELD.

H.R. 1049: Mr. HECK.

H.R. 1050: Mr. SEAN PATRICK MALONEY of New York and Mr. KIND.

H.R. 1057: Mr. STEWART, Mr. GROTHMAN, and Mr. WENSTRUP.

H.R. 1058: Mr. SOTO.

H.R. 1078: Mr. PETERS and Mr. JONES.

H.R. 1089: Mr. SOTO.

H.R. 1090: Mr. SHIMKUS, Mr. SMUUCKER, and Mr. WELCH.

H.R. 1094: Mr. KENNEDY and Mr. DESAULNIER.

H.R. 1096: Mr. AMODEI.

H.R. 1098: Mr. THOMAS J. ROONEY of Florida.

H.R. 1103: Mr. KILMER and Mr. CLEAVER.

H.R. 1109: Mr. LONG and Mr. JOHNSON of Ohio.

H.R. 1130: Mr. HARPER.

H.R. 1136: Mr. WOMACK, Mr. AMODEI, Mr. SENSENBRENNER, and Mr. WESTERMAN.

H.R. 1148: Mr. LOUDERMILK.

H.R. 1154: Mr. RUSSELL, Mr. GENE GREEN of Texas, Mr. CRAWFORD, Mr. ZELDIN, Mr. DENHAM, and Mr. GRAVES of Missouri.

H.R. 1163: Mr. WALZ.

H.R. 1181: Mr. BILIRAKIS and Mr. SESSIONS.

H.R. 1185: Ms. KAPTUR, Mr. POCAN, and Ms. SLAUGHTER.

H.R. 1204: Ms. STEFANIK and Mr. MOOLENAAR.

H.R. 1215: Mr. SMITH of Texas.

H.R. 1241: Ms. ROYBAL-ALLARD.

H.R. 1243: Mr. MCGOVERN, Mr. WELCH, Ms. LOFGREN, Mr. BLUMENAUER, Mr. DONOVAN, Mr. DESAULNIER, Mr. SMITH of New Jersey, and Mr. BRENDAN F. BOYLE of Pennsylvania

H.R. 1245: Mr. POLIS and Mr. VISCLOSKY.

H.R. 1259: Mr. DUNN, Mr. ROKITA, Mr. BYRNE, Mr. HARPER, Mr. RENACCI, Mr. SESSIONS, Mr. COLE, and Ms. SINEMA.

H.R. 1295: Mr. CARTWRIGHT, Mr. GARAMENDI, Mr. ELLISON, Mr. GRIJALVA, Mr. POCAN, Mr. TONKO, Ms. NORTON, Mr. JONES, Ms. BORDALLO, and Mr. COOPER.

H.R. 1299: Ms. VELÁZQUEZ and Mr. KIND.

H.R. 1310: Mr. GARAMENDI.

H.R. 1317: Mr. POE of Texas, Mr. RENACCI, and Mr. COLE.

H.R. 1320: Mr. LATTA.

H.R. 1322: Ms. ESHOO and Mr. JEFFRIES.

H.R. 1346: Mr. SIRES and Mr. CAPUANO.

H.R. 1358: Mr. YARMUTH, Ms. GABBARD, Mr. VEASEY, Mr. LYNCH, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. GUTIÉRREZ, Mr. VARGAS, Mr. THOMPSON of California, and Mr. HASTINGS.

H.R. 1361: Mr. LANGEVIN and Mr. MOULTON.

H.R. 1367: Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. DUNN, Mr. SESSIONS, and Ms. SINEMA.

H.R. 1368: Ms. MCCOLLUM.

H.R. 1374: Mr. CARTWRIGHT, Mr. SMITH of Washington, Mr. BLUMENAUER and Mr. KENNEDY.

H.R. 1375: Mr. RYAN of Ohio, Mrs. NAPOLITANO, and Mr. KEATING.

H.R. 1382: Mr. BABIN and Mr. DESJARLAIS.

H.R. 1384: Mr. STEWART and Mrs. RADEWAGEN.

H.R. 1387: Mr. LIPINSKI and Mr. RUSSELL.

H.R. 1393: Mr. GOODLATTE.

H.R. 1399: Mr. STEWART and Mr. GOSAR.

H.R. 1421: Mr. GRIJALVA.

H.R. 1422: Mr. HOLLINGSWORTH, Mr. MOONEY of West Virginia, and Mr. POSEY.

H.R. 1433: Ms. GABBARD and Ms. SHEA-PORTER.

H.R. 1435; Mr. GRIJALVA.

H.J. Res. 51: Mr. GRIFFITH.

H.J. Res. 59: Mr. CULBERSON.

H. Con. Res. 10: Mr. CRAMER and Mr. MESSER.

H. Con. Res. 28: Mr. CARTWRIGHT and Mr. CORREA.

H. Res. 28: Mr. KNIGHT.

H. Res. 69: Mr. SMITH of Texas and Mr. HURD,

H. Res. 92: Mr. HURD, Mr. VEASEY, Mr. LATTA, Mr. RENACCI, Mr. MOOLENAAR, Ms. MCSALLY, Mr. WEBER of Texas, Mr. FLEISCHMANN, Mr. COHEN, Mr. LOBIONDO, and Mr. JORDAN.

H. Res. 102: Mr. CICILLINE.

H. Res. 118: Mr. CLAY, Ms. LEE, and Ms. SHEA-PORTER.

H. Res. 129: Mr. TIBERI, Mr. WALZ, and Mr. BRADY of Pennsylvania.

H. Res. 133: Mr. SWALWELL of California, Mr. PERLMUTTER, Mr. RASKIN, Ms. SHEA-PORTER, Ms. GRANGER, Mr. ROUZER, Mr. POSEY, Mr. CONAWAY, Mr. CHABOT, Mr. ROE of Tennessee, Mr. WITTMAN, Mr. WILSON of South Carolina, Mr. BABIN, Mr. HULTGREN, Mr. CÁRDENAS, Mr. RYAN of Ohio, Ms. ROYBAL-ALLARD, Mr. SMITH of Washington, Mr. MEEHAN, Mr. JEFFRIES, Mr. TED LIEU of California, Mrs. BUSTOS, Ms. NORTON, Ms. SCHAKOWSKY, Mr. NEWHOUSE, Mr. DUNCAN of South Carolina, Mr. FLEISCHMANN, Mr. SAM JOHNSON of Texas, Mr. HENSARLING, Mr. WEBER of Texas, Mr. MARCHANT, Mr. RATCLIFFE, Mr. CULBERSON, Mr. CARTER of Texas, Mr. SESSIONS, Mr. ARRINGTON, and Mr. DESAULNIER.

H. Res. 135: Mr. KATKO, Mr. WEBSTER of Florida, Mrs. RADEWAGEN, Mr. Taylor, and Mr. VALADAO.

H. Res. 136: Ms. JAYAPAL.

H. Res. 140: Mr. MOULTON.

H. Res. 142: Mr. POCAN and Mr. TED LIEU of California.

H. Res. 163: Mr. DENT, Ms. MCCOLLUM, Miss RICE of New York, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. LANCE, Mr. COHEN, Ms. JACKSON LEE, and Mr. RASKIN.

H. Res. 178: Mrs. MURPHY of Florida, Mr. JEFFRIES, Mrs. NAPOLITANO, Ms. HANABUSA, Ms. BLUNT ROCHESTER, Mr. WELCH, Ms. WASSERMAN SCHULTZ, and Mr. LAWSON of Florida.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Chairman GOODLATTE, or a designee, to H.R. 985, the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 610: Mr. OLSON.
H.R. 637: Mr. SANFORD.

United States
*of* America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

*Vol. 163* WASHINGTON, THURSDAY, MARCH 9, 2017 *No. 41*

# *Senate*

The Senate met at 10 a.m. and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, the lover of our souls, we praise Your Holy Name.

Today, fill the hearts of our lawmakers with utter trust in You, providing them with faith to persevere in well doing. Renew their spirits and so draw their hearts to You that they will find delight in their labors as they strive to please You.

Lord, give them the wisdom to maintain a perpetual contentment for the blessings You provide them each day. May they never take for granted Your compassion, kindness, and mercies. Strengthen and support them in all of their endeavors, using them as instruments of Your peace and love.

We pray in Your merciful Name. Amen.

## PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, March 9, 2017.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
*President pro tempore.*

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## NOMINATION OF SEEMA VERMA

Mr. MCCONNELL. Mr. President, this week, the House unveiled its plan to repeal and replace ObamaCare and began consideration through the committee process. It is an important step toward keeping our promise to the American people. It not only repeals and replaces ObamaCare, it includes the most significant entitlement reform in a generation and provides needed tax relief to American families as well as healthcare consumers.

Here in the Senate, we can take another critical step toward stabilizing the healthcare market with consideration of the nominee to lead the Centers for Medicare and Medicaid Services, more commonly known as CMS. We have the opportunity today to advance an extremely qualified nominee to oversee some of our Nation's most important healthcare programs.

Seema Verma has a deep health policy background. She is a reformer with a proven record of success. Not only does she have an unparalleled grasp of the complex fiscal and policy challenges facing the agencies she will be charged with overseeing, she also understands the States and consumers she will be serving.

She will be the first to tell you that the sooner we can fulfill our promise to repeal and replace ObamaCare, the sooner CMS can get out of the ObamaCare business and back into the Medicare and Medicaid business. She understands that ObamaCare's raiding of Medicare was wrong, and her experience in developing creative solutions will help protect Medicare for generations to come. She knows the burdens that ObamaCare placed on State Medicaid Programs remain unsustainable, and her experience in reforming and modernizing State-level Medicaid Programs will help lower the staggering costs that the Obama administration shifted onto the States.

Medicaid expansion has been devastating to Kentucky's State budget, costing Kentucky taxpayers nearly $74 million this year. That is more than double the amount originally projected. Even worse, we have seen little improvement in health outcomes. The current system is too expensive and fails to address the real health problems in Kentucky.

Ms. Verma has been instrumental in helping States like mine navigate these incredibly difficult challenges. The proposed Medicaid waiver she helped craft for Kentucky, along with our Governor, if approved, is expected to ensure quality care for those who need it while saving Kentucky taxpayers more than $360 million. So her expertise is going to be invaluable as we continue fulfilling our promise to the American people.

As we move to repeal and replace the unworkable, partisan ObamaCare law and return authority to the States, my hope is that Ms. Verma will be able to focus more time and attention than her recent predecessors to the core functions—the core functions—of the agency, which are strengthening Medicare and Medicaid. She is particularly well qualified to lead this agency. She has a proven record of success. She has the skill and the drive to make positive reforms too. I can hardly think of anyone better for the job.

I urge colleagues to join me in voting to advance her nomination later today.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, since his nomination to the Supreme Court was announced, Judge Neil Gorsuch has received extensive praise from former colleagues, the legal community, and editorial boards, among many others. It is praise that has come from across the political spectrum. Even many on the left can't help but compliment Judge Gorsuch's credentials, including former President Obama's own legal mentor, who called him ''brilliant,'' and his former acting solicitor general, who applauded Gorsuch's ''fairness and decency.''

This week we add to that lengthy list of supporters more than 150 of Judge Gorsuch's former classmates at Columbia University. As they note, these alumni have followed an array of postgraduate pursuits: They are CEOs and stay-at-home parents, professors and lawyers, entrepreneurs and scientists. They come from different socioeconomic and ethnic backgrounds, practice different faiths, reside in different parts of our country, and hold very diverse political views.

Even so, each of these Columbia grads can agree on at least one thing: Neil Gorsuch's fitness to serve on the Supreme Court. Let me share the letter they just sent to the Judiciary Committee:

At Columbia, Neil Gorsuch notably distinguished himself among his peers. He was a serious and brilliant student who earned deep respect from teachers and students alike. With an encyclopedic knowledge on a staggering array of subjects, he could be counted on for his insightful, logical and well-reasoned comments. He carried a full and challenging course-load, finishing in three years and graduating Phi Beta Kappa.

The letter continues:

The hallmark of Neil Gorsuch's tenure at Columbia was his unflagging commitment to respectful and open dialogue on campus.

Despite an often contentious environment, Neil was a steadfast believer that we could disagree without being disagreeable. To be sure, he could deliver a devastating argument, laden with carefully researched facts and presented in a crisp and organized manner. Yet he was always a thoughtful and fair-minded listener who would not hesitate to re-evaluate his own beliefs when presented with persuasive arguments. His amiable nature, good humor and respect for differing viewpoints was admired and appreciated by all.

So it was clear even years ago that the ''intellect, academic record, and character'' of their classmate Neil Gorsuch was ''so special''—''so special'' that ''there was a shared sense that he was poised for a meaningful and purposeful future.''

How right they were. Neil Gorsuch is exceptionally qualified to serve on the Supreme Court. He has, as I just noted, an ''encyclopedic knowledge on a staggering array of subjects . . . with insightful, logical and well-reasoned comments.'' He is a ''humble man with no appetite for self-promotion.'' Let me say that again: a ''humble man with no appetite for self-promotion.'' He is ''an upstanding person'' with ''unyielding integrity, faith in our institutions and unfailing politeness.'' These are the words of his former classmates, and they are the qualities we expect in a Supreme Court Justice.

Regardless of political leanings, we all should understand the importance of confirming Justices who will interpret the law as written, not misuse their office to impose their own views as to what, in their mind, should have been written instead. We should understand the importance of confirming Justices who will apply the law equally to all Americans, not rule based on their empathy—empathy—for certain groups over others.

I am confident that Judge Gorsuch is more than prepared to meet these critical standards. It is the type of judge he has been on the Federal court of appeals. It is the type of Justice he will be on the high Court as well. That is why we continue to see recommendations for Gorsuch flooding in from people of all backgrounds and all political views.

In the coming weeks, I am sure the support for Judge Gorsuch will continue to grow, and I know we are all eager to hear from the judge himself when he goes before the Judiciary Committee later this month. When he does, I hope colleagues on both sides will show him the fair—fair—consideration that he deserves, the same fair consideration we showed to all four of the Supreme Court nominees of President Obama and President Clinton after they were first elected—a respectful hearing followed by an up-or-down vote.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF EDUCATION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 57, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided in the usual form, and 30 minutes of the majority time will be under the control of Senator BLUNT or his designee.

The Senator from Illinois.

Mr. DURBIN. Mr. President, if I could speak for 5 minutes——

Mr. BLUNT. Mr. President, I am glad to yield my friend 5 minutes to start the day.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

FILLING THE SUPREME COURT VACANCY

Mr. DURBIN. Mr. President, I just want to comment very briefly on the comments of the Republican leader.

It was interesting when he said the courtesies that were extended to President Clinton and President Obama when it came to Supreme Court nominees; he left out 1 year—last year.

Last year, when there was a vacancy on the Supreme Court when Antonin Scalia passed away and President Obama sent the nomination of Merrick Garland to the floor of the Senate, it was refused by the Republican leader to even give him a hearing, let alone a vote. So there was an omission in his call for courtesy when it comes to Nominee Gorsuch, a very grievous omission from the point of American history.

For the first time in the history of the U.S. Senate—for the first time—Republican leaders in the Senate refused to give a hearing and a vote to a Supreme Court nominee sent by President Obama. Many of us came to this floor pleading that we follow tradition and the Constitution. I am going to stand by that. Even though I think Merrick Garland was treated poorly by the Republican majority, I believe that Neil Gorsuch is entitled to a hearing and a vote. I made that argument before; I will make it again.

REPUBLICAN HEALTHCARE BILL

Mr. President, the second point I want to make, and very briefly, is that we now have seen the Affordable Care Act repeal that has been brought forward by the Republicans in the House. We still do not know its fiscal impact. The Congressional Budget Office, which traditionally scores legislation, tells us the impact it will have both on the deficit as well as on the American economy. In this case, we believe we will learn as early as next week what that impact will be. There are several things we know for certain. The Republican approach to changing the Affordable Care Act is going to reduce health insurance coverage in America, and it is going to raise the cost.

The cost, incidentally, will be especially hurtful to those over the age of 55. If you are a senior citizen or over the age of 55, this Republican bill says that your health insurance premiums can be substantially increased. There is a limit in the current law that you can't have a disparity of more than 3 to 1 in premiums between people of different age groups. That is changed by the Republican bill to say that older people can be charged up to five times

the premiums that are being paid by those in younger groups. That is substantial.

Secondly, it is painful and hurtful to Medicare. Don't take my word for it; the American Association of Retired Persons has come out against the Republican healthcare plan, saying that it is going to reduce the number of years of solvency for the Medicare trust fund. That is not a positive thing; it is a negative thing for the tens of millions of Americans who count on Medicare.

We also know that when it comes to this bill, there are provisions in here which are inconsistent with our goal to increase coverage across America. My Republican Governor in Illinois, who has been very careful to be critical of Republicans in Washington, came out this week and said that the elimination of Medicaid coverage and reduction in Medicaid coverage would create a budget hardship in our State.

I might add that it will be a hardship on the thousands of people in Illinois who rely on Medicaid to provide for their medical expenses. That includes not only the children and mothers in lower income groups but, substantially, seniors who are in nursing homes who have no place to turn. They are living on Social Security, Medicare, and Medicaid. That is how they survive. Reducing the Medicaid coverage is a danger to them when it comes to continuing on in a safe and healthy environment.

In addition to that, we know that Medicaid for many low-income Illinoisans and low-income Americans is the only health insurance they have. Many who work hard every day don't make enough money to buy health insurance, and their employer doesn't provide it. Medicaid came to their rescue under the Affordable Care Act, and it is going to be severely restricted. That is why my Republican Governor has come out against this Republican healthcare bill, and many others feel the same.

When we take a look at this bill when it comes over here—first, I plead with my colleagues, don't rush it through. Let's take the time to look at it carefully. It will affect the healthcare of millions of Americans. Second, let's hold to the standard that whatever changes we make will provide more healthcare protection in America and make a serious effort at reducing cost. We can only do that if we have the time to honestly debate it on a bipartisan basis.

Mr. President, I thank my colleague from Missouri for giving me this opportunity.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

AMERICAN HEALTH CARE ACT

Mr. BLUNT. Mr. President, I want to talk about the Affordable Care Act and its failures, as well as the American Health Care Act and what differences I think it makes. I am going to be joined on the floor by at least one of my colleagues soon, and we may even, with permission, have a colloquy. I know Senator BARRASSO is on a limited time schedule and has been one of our great leaders on this issue. I think I will turn to him first and then come back when he has had a chance to make his comments.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, thank you for allowing me to engage in this colloquy with my friend and colleague, Senator BLUNT from Missouri, who has been a real leader not just in the Senate but when he was in the House, traveling to all of the hospitals in Missouri and talking about the issues that concern the people there, as I do in Wyoming every weekend, going home and talking to people at home.

You may not know this, but I was the president of the Wyoming Medical Society and worked with something as the medical director called the Wyoming Health Fairs, where we brought low-cost health screening to people all around the Cowboy State. I had been going to these health fairs for years—when I was a doctor practicing medicine, when I was an orthopedic surgeon, and then when I was in the State senate and now as a U.S. Senator, to the point that I was at a health fair last Saturday in Buffalo, WY.

People come to the fairs. They get their blood tested ahead of time so they can come and pick up the results and find out about their cholesterol and thyroid conditions and other issues. There are booths from the Heart Association and the Diabetes Society, depression screenings, all sorts of things. People there are very interested in their health.

When they see me as a doctor and knowing I am also a Senator, they want to talk about how the healthcare laws affected their lives. What I hear, story after story, is, you have to repeal this ObamaCare. Many of them are people who had insurance that worked for them before the healthcare law was passed. When the healthcare law was passed, they were basically told that what they had, which worked for them and which they could afford, wasn't good enough for the government. The government said: No, you have to buy something else, something more expensive and not what you really need or want—which is getting into the fundamental problem here.

ObamaCare is collapsing all around the country. In Wyoming, as in many places—and I know Senator BLUNT is in a situation where he has people whom he works with—there is not really a marketplace out there. It is a monopoly. There is only one choice.

We see our colleagues—Senator ALEXANDER in his home State and Senator CORKER—in some counties, there are no choices. Nobody is going to sell on the exchange. Even with the ObamaCare government subsidies, there is nothing to be bought.

We have to act now. The House is in the process of doing that. I think they have made an incredible effort, a fundamental change, a big step away from ObamaCare. It is a monumental shift. What it does is it eliminates the things I hear about every weekend in Wyoming that people don't like about the healthcare law. It is the mandates. It is the taxes. It is the penalties they have to pay. People don't like that. They don't like the government saying: You have to buy a government-approved product, pay for it, whether or not you want it, whether or not it works for you.

We eliminate all of those things in what the House is debating now. What do we preserve? We preserve things that people know are important for them. People with preexisting conditions will still be protected. My wife Bobbi is a breast cancer survivor. She has been through operations. She has been through chemotherapy, radiation. As a doctor and as a husband, I know how important it is to protect people with preexisting conditions. There is also a limit on lifetime payments for people who get sick. Finally, we do want to keep and we do preserve for families—they can keep younger members of their family on their insurance, to the age of 26.

We eliminate the things people don't like. We preserve the things that are still so important for families all around the country. We work to get to the point where people can afford health insurance again.

It is interesting listening to the Democrats talking about how many people have been covered under ObamaCare. What you find out is that coverage is empty. They may have an insurance card, but if the copays are so high and the deductibles are so high—$5,000, $6,000, $7,000—it is unusable. They say: I have ObamaCare, but I don't have the ability to get the care.

The issue of Medicaid, which was a failed system for a long time—it has been 50 years since Medicaid came into existence. There is a lot we need to do to modernize, update, streamline, strengthen, improve Medicaid in ways that actually help people.

I was in the State senate. Mr. President, I know you have a long history of involvement in your home State. Senator BLUNT does as well with the activities there. What we have seen with Medicaid—and I saw it in the State legislature—if we had the freedom and the flexibility in the State to make the decisions about how that money was spent rather than dealing with all of these rules and regulations and one-size-fits-all that comes out of Washington, we always felt we could do a much better job of providing for the people of our State. Let the State make involved decisions for people on Medicaid, and we could help a lot more people for the same amount of money. It seemed there was so much waste and abuse in the whole Medicaid system.

So much of what the House is doing is to try to get the power out of Washington. The question is, Whom do you want in control? Do you want the government in control or the people, and their care and the decisions being made at home?

I come to the floor today to thank my colleague from Missouri for his leadership on this from the days before he was even in the U.S. Senate, from his days in the House, and for his involvement. He was really one of the leaders in the House before coming to the Senate on this whole topic. He knows it well. He visits with people at home in his home State, as I do at home in mine.

I will be at home in Wyoming again this weekend, traveling around the State with different activities. I think one of the things we all do when we go home is visit with people and find out where they are going to be and what is on their minds, and that is the best way to do it.

I will be at a pancake breakfast. I will be at a Boy Scout event. I will be at a dinner at the Rocky Mountain Elk Foundation. I will visit with a number of high school students. You hear people. You want to be there and listen to what they have to say. So I am looking forward to being there again this weekend, as I was last weekend—in Buffalo last weekend for the health fair in Rawlins—for an event to hear how what Washington does impacts their lives.

What we have seen over the past 6 or 7 years since ObamaCare became law is that decisions being made in Washington hurt a lot of people in Wyoming, hurt people who were patients of mine when I was actively practicing as a surgeon. The regulations, the one-size-fits-all in terms of the impact on the hospitals, the healthcare providers, and the patients—we know these people need relief. They need to be rescued from this collapsing ObamaCare healthcare law. And we want to repair the damage. We can't get it all done overnight. It is not possible. It took us about 6½, 7 years to get to this point. President Trump has only been in office for about 7 weeks. You can't get it done overnight. We are making definite strides in the direction that is important for the country.

I wish to ask my friend and colleague Senator BLUNT if he is seeing the same things in Missouri and hearing the same sorts of stories as we work to repeal and replace this healthcare law.

Mr. BLUNT. I thank the Senator from Wyoming for his efforts on this topic from the time we were both explaining why we thought President Obama's plan wouldn't work. What I see and I think what you mentioned you see is that people who have coverage often don't have access. It doesn't matter if you have coverage if there is nowhere to go or you feel like there is nowhere to go. I continually hear that from people who have the high-deductible policies. That means they are discouraged from spending the first $6,000 or $8,000 that is out-of-pocket spending.

Many people I talk to say they have not only more expensive coverage than they had before but less coverage than they had before and are reluctant to spend the out-of-pocket dollars that used to be covered by the insurance that didn't meet the new standards but met their family needs. I am wondering if the Senator is seeing that same thing.

Mr. BARRASSO. I am hearing the exact same thing at home. The premiums in our State for people having to buy on the exchange have gone up double digits. I think we had the same thing happen in your State year after year, to the point where if you only have one company selling on the exchange in rural communities—for us, it is our whole State. That is a big problem.

The other thing we certainly are concerned about—and I know this is the case with both Senator BLUNT and me—ours is a rural State, and huge areas of your State are rural.

The architect of ObamaCare, Dr. Ezekiel Emanuel from the University of Pennsylvania, said that we have too many hospitals in the United States. He said there are 5,000 hospitals, and he said there are about 1,000 too many. He actually wrote a book about this after they wrote the healthcare law, and he said that there are about 1,000 too many and they need to close.

Well, if you are in rural Wyoming or rural Missouri, those hospitals are a long way from other places. The first I think 80 hospitals have closed, and they were rural hospitals. Fortunately not in my State, but in a number of States, you have seen that—numbers of rural hospitals closing. When a rural hospital closes as a result of the Obama healthcare law, the impact on a community is dramatic in terms of it being able to recruit nurses, doctors, and businesses to the community, if there is not a hospital, and to recruit teachers to the schools. I don't know if that is an experience and concern the Senator is seeing around rural Missouri.

Mr. BLUNT. It is.

Mr. President, I think you are seeing that too. The critical needs hospitals, the critical access hospitals—the only hospitals available—are often also hospitals that disproportionately have people who are not insured or people who are of low income who aren't on any government program. What has happened in those hospitals and in the ones that have been able to stay open is that they have often had to go outside the traditional community support they had and associate with a bigger hospital.

That may turn out to have been a good thing, but one of the basics of the President's healthcare plan was—which we now know is a highly unlikely result—that everybody will have coverage. In a world where everybody has coverage, you don't have the disproportionate share of problems that inner-city hospitals, like the Truman Hospital in Kansas City, MO, have, or rural hospitals, like the dozen-plus that we have in our State that are critical needs hospitals. Those things don't happen. If this had worked the way the President thought it would work—and Democrats, when they, all on their own, passed this bill 7 years ago—we wouldn't be having the problems we see now: the havoc in our healthcare system—leaving Missourians, people from Alabama, people from Wyoming, people from all over the country with higher costs, with fewer options, and with more uncertainty.

How many times did the President say, when he was supporting this just after the election and during his election 8 years ago—President Obama kept making the case—that Americans would be able to keep the plans they like. They would be able to keep the doctors they like. Now we act as if those pledges—well, everybody knows—couldn't happen.

When the bill was passed, everybody said that was what would happen. Remember this: If you have a doctor you like, you will be able to keep the doctor you like, period. If you have an insurance plan you like, you will be able to keep the insurance plan you like, period. The period should have at least been a question mark.

As it turned out, it was not true. People didn't get to do that. According to the advocates of the law we have now, there would be more choices, there would be more competition, and there would be lower costs, and none of those things happened. Those things just did not happen.

In Missouri, several insurers have totally pulled out of the individual market. We have 115 counties. Last year, they all had at least two companies willing to offer insurance. This year, we have 97 counties where only one company is willing to offer insurance. I have always thought we needed to expand that insurance marketplace, not reduce it—and buying across State lines and buying an insurance product you thought met the needs of you and your family, rather than the needs somebody at the Department of Health and Human Services thought they knew was better for your family, rather than what you would know was better for your family. But instead, we have done just the opposite. Instead of expanding the marketplace, expanding choices—somehow ObamaCare was designed in a way that actually prevents this—instead of being able to buy across State lines, now you can't buy across county lines. We have 97 of our 115 counties where only one insurance company is willing to be part of the process on the individual market. That one insurance company, rightly, was able to go and say: Here is what we are going to charge. If you don't want to accept that, State insurance regulator, we won't offer the product.

Families one year to the next are often facing 40 percent increases. I

think the average is a 25-percent increase year over year. Many people are paying more than 100 percent, double what they paid when this started. The rate hikes have gone up and the coverage has gone down.

The average deductible in the bronze plan, the third plan down, is $6,000 for an individual and $12,000 for a family. That is before anybody helps you at all. So you have insurance that you are paying for every month, but if you get sick, you have to pay $6,000 for each individual and more than twice that if two people in your family have healthcare problems before anybody does anything. For most families in our country, and certainly most families in Missouri, that is like not having insurance at all.

Even in the silver plan, the average deductible is $3,500. That is an increase of 15 percent of the deductible over last year. Every year, the price goes up and the deductible goes up. All of us hear from families, individuals, and businesses who say: We can't continue to do this. Mark from Blue Springs told me: ''There is nothing affordable'' about the Affordable Care Act. When it comes to what he and his family are facing, he said that before ObamaCare, they paid $246 a month to cover five people with coverage they thought met their needs. Now the premium is $800 a month. There are only three people. Only one child and he and his wife are still at home. For five people, they were paying $246 a month. Now they are paying $800 a month. He says:

> These days, when we go to the doctor, nothing is covered. We still have to pay for that visit 100 percent out of pocket. In other words, we pay $800 per month only to be told that none of the office visit or procedure is covered until the $8,000 deductible is met.

He says: Really, what are we going to do? They have taken insurance away from us, and the promise that was made over and over was never kept.

Dave, a small business owner in Columbia, says his premiums have more than doubled at the same time that his business has been forced to continually raise deductibles and seriously reduce benefits so that people could continue to have insurance at work. As he puts it, President Obama's healthcare plan ''is far from affordable.''

Let's see. That is exactly what Mark said: There is nothing affordable about the Affordable Care Act. And Dave's increase this year over last year was 40 percent. At some point, Dave and lots of other employers are deciding that this isn't working.

We have a group in our State that many other States have, the Older Adults Transportation Service. It is a nonprofit that provides transportation services for older adults. The title is actually pretty descriptive of what they do. The cost has gone up over half a million dollars. The paperwork is ''so complex and so cumbersome,'' the executive director told me, that they have to spend additional money to hire a consultant just to fill out the forms to have the insurance they used to have. Then the insurance doesn't keep up with what they need and what their drivers need. They have to begin to cut services back to have insurance that even begins to resemble what they had before the Affordable Care Act. Talk about people being left out. There are older adults in Missouri who don't have the same access to transportation they had before the Affordable Care Act.

President Trump, in his address to the Congress just a few days ago, reiterated his commitment to step-by-step healthcare reforms ''that expand choice, increase access, lower costs, and, at the same time, provide better healthcare.''

I was encouraged that he decided to back the expansion of health savings accounts. That allows everybody in the country to put more of their pretax dollars into portable health savings accounts that go with them wherever they go from job to job. You still have that health savings account. The plan that the House of Representatives is debating right now expands the way you can use that health savings account, as well as expands how much money you can put into that account.

Most importantly, the President reaffirmed the need to ensure coverage for all preexisting conditions. I have always supported providing insurance options for people who have preexisting conditions. I sponsored the legislation that allowed young people to stay on their parents' healthcare until they were 25. The people drafting the Affordable Care Act put exactly that language in the bill and raised the age to 26. Three million people every year have access to insurance because of a simple choice like that. I think that bill was four pages, with lots of white space, and 3 million people get insurance every year who wouldn't have insurance otherwise, or at least traditionally hadn't had insurance otherwise at no cost to taxpayers. Frankly, there is not much cost to anybody because those young, healthy people are just establishing themselves, just leaving home, just going off mom and dad's insurance, and they thought they could get by without it for a while. In all likelihood, they were right. They are not a hard group to insure.

That is the kind of thing we ought to think about, where we figure out how to increase access to coverage without taxpayers having to bear the load for somebody else's healthcare, if there is another way to do it. We want to be sure that, whether it is keeping them on your family insurance, staying on your family insurance longer, or having no lifetime cap—that was a legitimate problem that many people faced—they would have their insurance. They would pay for it forever, and then when they faced a catastrophic situation, at some point the insurance companies in earlier times were able to say: You reached your lifetime cap; so we are now canceling your policy. That wouldn't happen under the plan we are discussing.

The landscape for healthcare—and what families and individuals have to deal with—has dramatically changed. Because of that, it is going to be more challenging to go forward than it would have if we had done the same half-dozen commonsense things just a few years ago. This is no 2,700-page response or substitute for the 2,700-page ObamaCare bill.

This is an easily understood way to go forward that eliminates taxes that everybody is now paying on their healthcare. There is a medical device tax. There is an over-the-counter medication tax for things you don't have a prescription for. There is a special tax on those over-the-counter medicines in the current law. Those will be repealed. The medical device tax would be gone, would be phased out. The over-the-counter tax on medicines would be phased out and the tax on prescription drugs. If you buy over the counter, you pay a tax, but if you get a prescription, you also pay a tax. There may be a place in here where you pay a tax for just paying a tax. But the medical device tax is gone. The over-the-counter medication tax is gone. The tax on prescription drugs would be gone. The tax on health insurance policies would be gone. When you get health insurance, there is a tax to be paid under ObamaCare on that, as well. The Medicare tax increase would be gone. The tanning bed tax would be gone. The net investment tax would be gone. The health insurance tax would be gone. It is about a trillion dollars in taxes that were added back into the system. By the way, if you have some kind of coverage for a medical device, you are paying for the coverage. You are paying a tax on the coverage, if you are lucky enough that the medical device is covered, if your insurance company pays that. Of course, they pay the tax on that, and, then, you have paid it in the premium that you had to pay to cover the tax. We have to step back here and try to do the right thing.

My friend from Illinois earlier mentioned that there traditionally were five different community ratings of people of different ages based on the healthcare costs that they might have, but the ObamaCare bill said: No, you can only have three ratings. The oldest, sickest, most likely to use health coverage can't pay more than three times what the youngest, healthiest people pay, which is another reason, if you are young and healthy, not to get insurance.

Things that were put into this raised costs for so many people. Then what happens? Then people say: Well, why is it that we don't have enough people covered? They say: The real problem with ObamaCare is that there weren't enough young, healthy people who bought coverage on their own. It was designed into the plan to make it very unattractive, if you are young and healthy, to buy coverage because suddenly coverage for that population was in relationship to all other people

being covered, higher than it had ever been before.

With the bill the House is debating now, we would restore the disproportionate share payments to inner-city hospitals, to rural hospitals, where you have to treat more people who are either on a government program that doesn't pay very well or more people who don't have any coverage at all. That was eliminated in ObamaCare.

We now realize that world is a world that doesn't exist, a world in which everybody who goes to the hospital, everybody who goes to see the doctor, everybody who seeks healthcare has insurance coverage.

Who takes care of that?

This bill, being debated right now in the House, looks at that again and says: Let's get back to where we are actually helping those institutions that are particularly focused on underserved populations, that are particularly focused on doing that.

We have an opportunity here, basically in three different steps, to do what needs to be done. The first two steps are critical. One is to set an end date for the chaotic situation we are in now, to do as much as we can with budget tools to set a framework for how we move on and get out of these incredibly devastating budget situations for both the Federal Government and for families. The second is to let the Secretary of Health and Human Services, who was confirmed by the Senate just a few weeks ago, look at the over 1,400 times in ObamaCare where that Department can create regulations that either make it harder or make it easier for people to comply with the law. One of the most important decisions, if you are an insurance company and you are offering a healthcare product, is deciding what classifies as an acceptable product, what is the basic criteria you can offer people and still be offering healthcare insurance. So we are at an important moment.

There is no doubt that the current situation is collapsing, that healthcare providers are providing healthcare to people who don't have coverage, who are not protected by programs they were previously protected by. The people who used to have a lot of choices in insurance, in many cases, now have only one choice, and it is not a choice they can afford, and when they do pay for it, they feel like they are living without insurance at all.

So we are doing what needs to be done. We have to do what we can to get back to where people can buy the insurance they think meets their needs, insurance they can afford and enables them to see the doctor they want to see. A patient-centered system, instead of a government-centered system, is the answer here. We have to get this job done, and I believe we will.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMPCARE

Mr. SCHUMER. Mr. President, I just came from speaking with several Americans about how TrumpCare would affect them. Universally, these folks were scared. They are worried their costs will go up. They are worried their benefits will go down. One of the concerns that came up, an issue that is on the minds of many Americans, was the high cost of drug prices.

During the campaign, the President talked the talk on drug prices. As President-elect, he said in December he would ''bring down drug prices.'' In January, he said pharmaceutical companies were ''getting away with murder.'' He repeated the refrain in his joint address to Congress last week. ''We should,'' he said, ''work to bring down the artificially high price of drugs and bring them down immediately.'' Immediately.

Well, the immediate is here. TrumpCare, the repeal and replacement of the ACA, has been introduced. TrumpCare does absolutely nothing to address the high cost of drugs. In fact, drug prices might start going up faster. Once again, the President is talking the talk, talking like a populist, but not walking the walk, not helping average Americans. He is helping the wealthy, special interests but not the average folks he was talking to during the campaign.

The President met with a couple of Congressmen yesterday and talked about drug prices. Why not put something in TrumpCare? Why not let them negotiate, bring down costs? Instead, TrumpCare does the opposite. TrumpCare eliminates a current requirement that insurers actually give patients the value of the health insurance they are paying for. Under the ACA, insurers had to pay at least 60 percent of the cost of care provided—for some plans, more. That requirement would be gone. So that, again, hurts average folks.

That provision in TrumpCare is a blank check to insurers to cover less and charge more out-of-pocket for a whole host of services. Most experts agree that insurers could charge much more for its prescription drugs or even rationed care.

TrumpCare takes the shackles off the insurance companies and lets them decide how or if they are going to cover your prescription drug costs. Letting the insurance companies decide what to charge and cover has never been, and never will be, a recipe to bring down prices. So on drugs as well as other issues, TrumpCare: higher costs, less care.

What is particularly galling, of course, is the fact that the President talks about reducing the cost of drug prices and negotiating but does nothing.

He said he would do it immediately. The immediate is here. TrumpCare is here. TrumpCare makes it very likely that the cost of drugs could go up for average Americans. It is just another example of this President doing one thing but saying another. He promises the Moon and the stars, but his policies make them even further out of reach.

He says: ''I'll bring drug prices down.'' His bill does the opposite, and it is just another way in which this is a healthcare handout for the insurance companies and the wealthy but a raw deal for average Americans.

TrumpCare is really just a tax break for the rich. It is not really a healthcare program. Its No. 1 motivation is to reduce taxes on the top 0.01 percent. If you make above $250,000, your prices are going to come down. If you are in that 0.01 percent, your average reduction in taxes is $200,000—more than most Americans make. So this bill is not going to help average Americans; it is going to hurt them, unless you are in the top 0.01 percent.

As more and more people read the bill, the louder the chorus of opposition grows. The AARP, a very cautious organization—usually they don't like to take political stands—a few weeks ago, they had ads on TV praising President Trump for saying he will not cut Social Security or Medicare. They came out strongly against the bill yesterday. Why? Because it would hurt seniors. They believe seniors—many average seniors whose income is $15,000—could pay up to $8,400 more. The people who might be hurt the most with this bill are average Americans between 50 years old and 65 whose costs inevitably will go up, whose healthcare will not be as good.

The AMA, another cautious organization, not known to be a big Democratic organization, came out against the bill. Doctors know how bad this will be for their patients and for America.

The Club for Growth, on the other side, has also opposed the bill. Hospitals, doctors, senior citizen groups have all come out against the bill. The hard right comes out against the bill, as do more moderate and liberal groups. That is because this bill is one big mess, done quickly in the dark of night. It is no wonder Speaker RYAN and Leader MCCONNELL don't want a lot of debate. They are embarrassed. This bill is an embarrassment to those who put it in because it doesn't do what it is supposed to do. That has led even Republican Governors such as John Kasich of Ohio and Brian Sandoval of Nevada to express concern over the destruction of the Medicaid Program. As we know, it is shifting the costs to the States.

Governor Kasich said that TrumpCare ''puts at risk our ability to treat the drug addicted, the mentally

ill, and the working poor.'' It is almost certain that under this bill, treatment for opioids will be less available because Medicaid is going to be cut and Medicaid helps pay for it. It is almost certain that if you are a young person, a young family—say you are 30 or 40 years old, but you have mom or dad in a nursing home; Medicaid has been paying for most of that, and it is going to be cut. What are you going to do? Maybe they will have to move in with you. That is not so easy in a growing family with kids. Maybe you will have to pay a lot of money out of your pocket. So this bill hurts Americans up and down the line.

The ideological fervor of ''TrumpCare must cut back the role of government, whether it hurts people or not'' is motivating this bill. That in the abstract would be fine, but it hurts Americans. It hurts middle-class Americans who are young, it hurts middle-class Americans who are middle-aged, and it hurts maybe most of all middle-class Americans who are 50 to 65 years old. As people learn about this bill over the next few weeks, there will be rebellion in the land of Adam.

So I tell my friends on the other side of the aisle to listen to the voices of the average Americans whom I met today, who care about bringing down the unreasonable cost of drugs. They should listen to the voices of experts who say just about the only winners in this bill are the very wealthy, and they should listen to the voices coming from their own party who say this bill will hurt their States and hurt the country.

TrumpCare is a mess. If this Congress, if this House, if this Senate is smart, they will defeat TrumpCare, keep the ACA, and then we can work together on making it better—plain and simple.

CHINA AND TRUMP TRADEMARKS

Mr. President, on another matter, I am concerned about a recent report that the Trump business interests have been granted approval on a number of trademarks in China.

The President spent most of his campaign talking tough on China. He said China was ''ripping us off . . . and killing our companies.'' He promised to label them a currency manipulator, a cause near and dear to my heart, on day one. The President promised many times over, saying: We are going to label China a currency manipulator. There is nothing stopping him from doing it. He could have done it with a stroke of a pen.

My views on trade, particularly with respect to China, might be closer to the views President Trump expressed in his campaign than those of either President Obama or President Bush. But since the election, President Trump has been remarkably soft on China.

As the Acting President pro tempore knows, I was the original person—Senator GRAHAM and I—who came up with the idea that China was manipulating its currency. We discovered it. I did, when I went to Crucible Steel near Syracuse and they told me how their business was being hurt by China manipulating its currency. At first, when Lindsey and I talked about it, people said: Oh, no, it is not happening. I was sort of proud of the fact that in those days both the New York Times, liberal, and the Wall Street Journal, conservative—their editorial pages both stated that China doesn't manipulate its currency; Schumer is off base. Now, of course, everyone knows they do. President Trump in his campaign said over and over again he was going to label them a currency manipulator which would have consequences to them on day one, the first day he took office. Now he has backed off his threats. He has been in office more than a month. He has not labeled China a currency manipulator.

Amazingly enough, in his first week he said he was no longer going to honor the One China policy. He was sending a shot over the bow to Beijing, that they can't keep getting away with what they have been getting away with in trade, in geodiplomacy, in cyber security, stealing our intellectual property, and everything else. When he did that, I was pretty pleased. Now he has backed off.

On the two issues where the President could have been really tough with China, currency manipulation and backing off on One China, he reversed himself within the last few weeks. Now, all of a sudden, we learn that China has granted preliminary approval to 38 new trademarks, allowing the Trump brand to market several different business ventures there, including hotels and golf clubs. Before he assumed public office, Donald Trump had been working to get trademarks from China for a decade without success. These particular trademark applications, filed during the campaign, just sailed through earlier this week.

It raises troubling specific questions: Did the Chinese Government and the Communist Party, who likely had a hand in granting these approvals, see some type of benefit from doing so now that Donald Trump is President? Did the President and his network of businesses personally gain from his office, and will that incline the President to make policy decisions that benefit China and hurt American workers?

We don't know if there is a link between the two. We don't know what was in the minds of the Chinese Government or the Communist Party when they all of a sudden granted these 38 licenses. It surely raises troubling questions.

It raises a bigger question. The wisdom of our Founding Fathers proves true day in and day out. Over 220 years after they wrote the Constitution, their wisdom is coming through now with President Trump because they wrote in the Constitution that anything of value—any emolument—to U.S. officials from foreign governments should be prohibited. U.S. officials should not be allowed to accept anything of value from any foreign government. In those days, one of the greatest worries of the Founding Fathers was that they wanted to prevent foreign governments from trying to curry favor with the United States by offering potential financial gain to our officials. This issue has been largely forgotten for a century or so, but the wisdom of the Founding Fathers is shining through now because President Trump, unlike just about any other President I can remember in recent history, has failed to completely separate himself from huge financial interests.

Now the questions arise. Is there a relationship? Are foreign governments seeking to curry favor? Is it affecting Donald Trump's decisionmaking? No one knows the answers to these questions, but the fact that the questions can be asked is extremely troubling.

The President has flouted all tradition and precedent, and I worry if the spirit, if not the letter, of the Constitution has been broken when President Trump retains a financial interest in his business empire. It leads to troubling questions like the ones raised by these trademarks.

As my colleague from Connecticut, who is an expert on this issue, a brilliant lawyer, Senator BLUMENTHAL, said yesterday: I think the circumstances surrounding the approval of these trademarks ought to be looked into by this Congress for a potential emoluments clause violation. He is right, and I am glad he is going forward.

Thank you, Mr. President.

Mr. President, I ask unanimous consent that time consumed during a quorum call be charged equally to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. BENNET. Thank you, Mr. President.

Last week, in his address to Congress, President Trump called education ''the civil rights issue of our time.'' I completely agree with that.

Millions of American kids are trapped in underperforming schools with little hope of gaining the skills needed for good-paying jobs in the 21st century economy. In America, poor kids hear 30 million fewer words than their more affluent peers by the time they get to kindergarten. If you don't think that makes a difference, you ought to talk to any kindergarten teacher in America.

By the fourth grade, only one in four kids in the United States can do math

at grade level, and even fewer than that can read at grade level in this country. About 9 in 100 are going to receive a college degree or its equivalent by the time they get to the age of 25.

As a Nation, we are falling behind the rest of the world. American 15-year-olds rank 15th in reading in the world, 19th in science in the world, and 37th in math in the world. These numbers are shameful. They are a national disgrace. Because these results fall mainly on communities of color in this country, this is a civil rights crisis in the United States—as the President said, the civil rights issue of our time.

It is for those reasons and other reasons that Congress passed No Child Left Behind in 2001, so as to strengthen the accountability and transparency for public education all over this country. Despite its good intentions, the law came with onerous requirements that did not work for many communities, including my own.

When I was the superintendent of the Denver Public Schools, there were few experiences more miserable than dealing with the Federal bureaucracy and their auditors, who would make judgments that were driven more by compliance than by the needs of our children. Somebody who understood that well was Margaret Spellings, who was, at that time, the Secretary of Education for this country. We owe her a debt of gratitude for the work that she did as Secretary. I, personally, owe her a debt of gratitude for the waivers she granted to the Denver Public Schools, when I was superintendent, to allow us to focus not on the compliance of rules that made no sense but to focus on the kids in this school district.

I know that was the experience of educators all over America, which is why, in 2015, the Senate came together—and I am a member of the Health, Education, Labor, and Pensions Committee—to replace No Child Left Behind. Finally, 8 years too late—8 years after it was supposed to be reauthorized—under the leadership of Chairman ALEXANDER and Senator MURRAY, we were able to pass the Every Student Succeeds Act. The bill earned overwhelming support. The country was ready for a change.

The law brought much needed reform to the Federal Government's role in education by giving States far more flexibility for innovation, while preserving important, core accountability protections, which are critical for those of us who are interested in the civil rights mission of the Federal Government. It was a rare example of bipartisan cooperation and smart policymaking in Washington, DC. In fact, I cannot think of another case in which we received that much bipartisan support on such a difficult issue in the time that I have been here.

The way I see it—and I say this as a parent of three children in the public schools in Denver and as a former school superintendent—the only reason for Washington to be involved at all in public education is with regard to civil rights, and that is an important reason for us to be involved. All kids should have access to great schools regardless of where they live, what ZIP Codes they are born into, or who their parents are.

With Every Student Succeeds, the new bill, States will design their own accountability systems and interventions when schools struggle. That is a big change from No Child Left Behind. It is a welcome change. The law shifts enormous responsibility from the Federal Government to States and transforms over 15 years of education policy. The law is not perfect, but it represents one of the most significant changes and, I would say, importantly, one of the most significant retrenchments of the Federal Government in domestic policy in modern American history. That should be acknowledged. It should be welcomed.

As States shift to the new model, many are asking for clarification about how to implement the law and make the most of greater State control over education. That is why the Department of Education issued rules last year to provide much needed clarity, stability, and flexibility to States, making it easier for them to transition from the broken system that we had under No Child Left Behind to the newer and more State-driven approach that we now have.

Now some in Congress have targeted this regulation. They have invoked the Congressional Review Act to repeal the rules wholesale. That would be so foolish after the progress we have made and the direction in which we have headed. It would tie the hands of the Department of Education from properly implementing the law and delay much needed flexibility and accountability for the States. It would be a disservice to students, to educators, to teachers, and to principals all across the country, and it would undermine the implementation of the entire law.

As I have said many times—and I have learned this the hard way—when it comes to education policy in particular, bad implementation can be just as harmful—even more harmful—than bad policy.

Repealing the rules would also sow confusion among States about when they must comply with this new law. The Every Student Succeeds Act includes a timeline for transition so that States have time to plan, but many specifics of that transition are unclear. The Department of Education's rules clarify that timeline and give States the flexibility with which to implement some parts of the law later than others.

Why would we want to take that away? Repealing the regulation would throw all of that away. Will schools have to fully comply with all aspects of the law by 2018, or is there some flexibility to stagger its implementation?

Beyond the timeline, striking the regulation wholesale would also throw States into limbo by creating uncertainty over other important parts of the law. For example, the act includes a major change in how the law applies to English learners, which is one of the fastest growing populations in our schools throughout the country and now represents nearly 1 out of 10 students nationwide. In the new law, many provisions concerning English learners moved from title III to title I.

As States undertake this shift, they need clarity on how to design accountability systems that include English learners in order to ensure kids do not fall through the cracks. For example, the rules make it clear that States can create proficiency goals for different groups of English learners rather than creating a uniform goal for all students.

Striking the rules would also undermine core elements of the law, like the requirement for States to report on school spending and resources. The regulation clarifies that States must create a uniform procedure for this reporting, which is vital for transparency around funding and investments and, I would say, is vital with respect to the civil rights mission of this law.

It is easy to publish numbers. Believe me; I have seen it. It is a lot harder to publish numbers that are accurate and meaningful by which parents and kids can make informed decisions.

Right now, as we sit here, States are developing accountability plans under the Every Student Succeeds Act, and they are drawing on the current rules to guide that process. A change now could delay the submission and approval process for these plans. States will not know whether to use different templates or the ones they already have. They do not know if they have to restart public comment periods, delaying submissions and throwing the entire timeline into uncertainty. There is no reason we should be doing this to our schools, our teachers, and our principals.

Repealing the rules would also suppress innovation and limit flexibility. I know that is the clarion call on this floor a lot of the time. In this case, people are going to get the opposite of what they expect. Flexibility is central to the Every Student Succeeds Act. I fought for many aspects of the law in order to give States the ability to design their own accountability systems, and I believe in that. Yet, in the absence of express, legally binding guidance from the Department of Education about where and how they can experiment, States will respond to that uncertainty by embracing the safest course. I saw that all the time when I was superintendent.

States stand to lose a lot of money if they are not in compliance, particularly $15 billion in annual title I funds for students who live in poverty. They do not want to risk it. It may seem odd, but we need these rules in order to ensure flexibility and innovation for States. Nonbinding guidance is not enough.

Finally, if we use the Congressional Review Act to repeal this rule—a very, very blunt instrument—the Department of Education will not be able to publish any rule that is ''substantially the same'' unless the Congress passes a new law—the Congress that took 8 years longer than it was supposed to in order to reauthorize No Child Left Behind the last time. This could mean that the Department of Education—and this is something people here need to pay attention to if they care about civil rights—would not be able to issue any new regulation to provide clarity for States as they transition to the new law. They would be left completely in the lurch, potentially hamstringing education policy across the country for a decade.

What is a shame about it is that there is absolutely no reason to do this. If the rules need to be changed, we should work together to improve them, but a CRA is not the correct policy tool. That is especially true when passing it would prevent all future regulation on core aspects of the Every Student Succeeds Act.

There has to be a better way for us to come together than this. I agree with the President that education is the civil rights issue of our time, and we should defeat this vote on this CRA.

I yield the floor.

Mr. DURBIN. Mr. President, today I come to the floor in opposition to the resolution to repeal regulations that help States and districts implement important provisions of the Every Student Succeeds Act.

In the last Congress, Members of Congress did what seems nearly unimaginable today. We passed a bipartisan bill, the Every Student Succeeds Act, or ESSA, to fix No Child Left Behind. After 14 years, Democrats and Republicans in both Chambers came together on compromise legislation to reauthorization of the Elementary and Secondary Education Act (ESEA). It gave States and districts flexibility to develop their own plans for holding schools accountable and encouraging improvements. At the same time, it included important Federal guardrails—including through regulatory authority—to fulfill the civil rights legacy of the original ESEA, ensuring that all students have equal access to high-quality public education.

Today, we should be focusing on the implementation of ESSA and providing critical resources to students, teachers, and schools. But, instead, we are on the Senate floor debating a Congressional Review Act resolution of disapproval that would gut the regulations that help maintain the important balance that ESSA strikes between local control and making sure that States are held accountable for educating our students.

After listening to teachers, parents, principals, and superintendents, the Obama Administration issued the final accountability regulation last November. Among other things, this regulation provides important information to help States draft their State plans and develop accountability systems to determine whether children are actually learning. It gives more flexibility to States to develop academic standards, to measure student achievement, and to determine intervention strategies when subgroups of students are consistently underperforming. It also lays out how States should comply with important provisions of the law, including identifying low-performing schools for improvement.

Eliminating this regulation would roll back the Federal role in education that has been in place for more than 50 years. In 1965, when President Lyndon B. Johnson signed the Elementary and Secondary Education Act, it created an extraordinary opportunity for our Nation to make an even deeper commitment to civil rights. It ensured that all children, regardless of their ZIP Code, background, disability, or family wealth, would have a right to a quality education. Repealing this regulation would overturn 52 years of progress. We should be committing ourselves to advancing equity in education, but instead Republicans are using a political tool—the Congressional Review Act—to remove important Federal protections for students. I believe it is a betrayal of the bipartisan framework that underpins ESSA.

Striking this rule could also send States into chaos. Many States, including my home State of Illinois, have prepared their State plans to align with this regulation. Without the guidance and clarity that this regulation provides, states will not have the support they need to successfully implement ESSA. It could ultimately lead to greater liability for States and districts that are responsible for complying with the law but are left to interpret how to implement the law for themselves. If this partisan CRA effort is successful, the Education Department will not be able to promulgate new rules related to these issues. Instead of policy that is subject to the public scrutiny and review of the formal Federal rulemaking process, repealing this rule gives incredible latitude to an administration that wants to dismantle public education.

When I voted for ESSA, it was with the understanding that the law allowed the Secretary of Education to promulgate rules to implement the bill's accountability provisions. Gutting these regulations swings the pendulum way too far in the direction of local control. Giving States more control with a blank check from the Federal Government is not responsible Federal policy. We should maintain critical Federal guardrails to hold States accountable for educating our children. We should uphold our vital role in protecting the civil rights of all children. Anything less says to our children that they don't matter. I urge my colleagues to join me in voting against this resolution.

Mr. VAN HOLLEN. Mr. President, one of the most significant bipartisan accomplishments of the last Congress was the Every Student Succeeds Act, the long-overdue reauthorization of K–12 education law. The Every Student Succeeds Act returned more flexibility to States while ensuring accountability to ensure that every child gets a quality education.

Today, however, the majority has brought before the Senate a measure that would take a step backward. This Congressional Review Act resolution would repeal Department of Education regulations that the Department put in place to give States and school districts clarity about their responsibilities under the law and guidance to ensure that students receive their guaranteed civil rights protections. The regulations resulted from of a year of stakeholder feedback. States are already using this guidance to write their State plans.

If we pass this resolution today, we would pull the rug out from under the very local stakeholders that we promised to empower with the Every Student Succeeds Act. Passing this resolution would disrupt their planning process and interfere with their operations. This resolution would also hurt our most vulnerable students by weakening accountability and protections for students with disabilities and students of color.

As the National Disability Rights Center has said, ''To rescind these regulations would not only be a disservice to the spirit of ESSA and diminish the efficacy of the law, but would also serve to undermine the equity of educational opportunity for all students, including students with disabilities.''

The Leadership Conference on Civil and Human Rights concurred, arguing: ''The underlying accountability and state plan regulation will help states, districts, and schools to faithfully implement the law and meet their legal obligations to historically marginalized groups of students. . . .''

The U.S. Chamber of Commerce also opposes repealing this regulation, saying: ''Just as we believe the Every Student Succeeds Act incorporates our principles, we believe the [accountability] regulations do as well. And they provide states with the clarity they need to move forward.''

The Every Student Succeeds Act was the result of years of painstaking work and bipartisan compromise. The implementing regulation was the product of stakeholder input. We should not undermine that important progress and throw our education system into chaos with this resolution. I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator from Iowa.

REPEALING AND REPLACING OBAMACARE

Mr. GRASSLEY. Mr. President, the other body spent yesterday and well into the night to vote out bills that would repeal and reform ObamaCare. I do not know exactly what is going to

happen in the other body on that issue, but I would like to add some thoughts on the issue of repeal and replace.

ObamaCare has been a case of overpromise and underdelivery. People were told that their premiums would go down by $2,500. They have actually gone up by an average of $3,500. They were also promised that if they liked their doctors, they would be able to keep their doctors. Millions of people have had to change doctors. Then they were told that they could keep their healthcare plans, and millions of people have had to change their healthcare plans. In fact, ObamaCare has been a case of overpromise and underdelivery. The reality is much different.

ObamaCare is hurting more people than it is helping. I have heard from many Iowans about the tremendous premium increases and, most importantly, all about high deductibles and high copays that make ObamaCare not worth its consideration.

One farmer said his health insurance premium went from $20,000 to $30,000 in one year. Another family said their ObamaCare premium increased 144 percent over 3 years. The 2017 premium for three people was over $24,000, and families who did manage to purchase ObamaCare insurance found that they could no longer afford to use it because of sky-high deductibles and copays. Another Iowan said that his policy for his family of three increased from $15,000 a year to $23,000 in 1 year, with, more importantly, the policy's value being less because the deductible for that plan is nearly $6,000.

It is quite obvious, as you think of these situations, that very few people can afford some of the prices or afford the deductibles that we hear about. So I think it is a very clear summation to say that ObamaCare is not working.

According to Avalere, one-third of the country will have only one insurance carrier that offers ObamaCare plans next year. Since that analysis by Avalere, another insurance company has pulled out of ObamaCare and has left some parts of the country without any insurance companies whatsoever for the folks to choose from. So many insurance companies have dropped out of ObamaCare that there are places in the country where people have a subsidy, but no insurance plans to buy. That is like having a bus ticket and there is no bus to take you anywhere.

Even those who were strong supporters of the healthcare law, like, as an example, the Democratic Governor of Minnesota, have said—or he said—the ACA ''is no longer affordable to many Americans.''

The problem with ObamaCare is it did nothing to address the underlying causes of the high cost of healthcare; that is, what it costs for a hospital or doctor to purchase and maintain medical equipment, to purchase medicines, to carry malpractice insurance, and things like that. Rather than address the actual cost of care, President Obama chose to bypass real healthcare reform for an unsustainable entitlement and, of course, bureaucratic mandates, which have priced people out of the healthcare insurance market, rather than provide them with affordable and quality coverage.

It is time, then, as the House was working throughout the night, to deliver more accessible, more affordable healthcare to even more Americans. ObamaCare has failed on both of these points, with, I believe, 29 million people still not having health insurance.

It is time to reduce the role of the Federal Government in the healthcare system because I think that expanded role is one of the very basic problems we have with ObamaCare. It is time to spend less and get better quality care.

I urge my colleagues on the other side of the aisle to work across the aisle in a bipartisan way. They know the Affordable Care Act is not serving the purposes that it was intended to serve and is falling apart and, in a short period of time, it may collapse. I think the other side is trying to distract attention from the Affordable Care Act collapse, and they are doing it by using the usual scare tactics. It used to be those scare tactics were applied just to Medicare improvements, but now they are applied across the board of healthcare delivery in America.

It is time for the other party to step up instead of doubling down because it was their plan passed in March of 2010 that put us in this spiral we are in. It is time for statesmanship, not gamesmanship. It is time for the people who are responsible for ObamaCare to stop defending the un-Affordable Care Act and deliver Americans what was promised.

I look forward to working with all of my colleagues and, of course, our new President to deliver affordable healthcare to more Americans.

Mr. President, I ask unanimous consent that Senator ALEXANDER control 10 minutes of the remaining debate time on H.J. Res. 57.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I come to the floor to once again urge my fellow Senators to vote against this resolution, which will weaken our bipartisan Every Student Succeeds Act and will hurt students and schools across the country. I wish to quickly run through the reasons why passing this resolution will hurt our students.

First, voting for this resolution will throw States and school districts into chaos just as they are beginning to implement this law. Secretary DeVos has already sent a letter to State chiefs suggesting that a new State template for plan submission would be coming, less than a month before approximately 18 States and the District of Columbia intend to submit their plans. This timeline will not allow enough time for the stakeholder review process that is required in the law and may force States to reopen their plans and delay implementation of the law.

Secondly, the Every Student Succeeds Act is a civil rights law at its core. We know from experience that without strong accountability, kids from low-income neighborhoods, students of color, kids with disabilities, and students learning English too often fall through the cracks, and now it is up to all of us to uphold the civil rights legacy of the law and its promise for students by voting against this resolution.

I wish to spend a little more time on the third reason. It should concern all of us that if this resolution passes, it will give Secretary DeVos a blank check to promote her anti-public school agenda. During her confirmation process, my colleagues and millions of Americans saw that Secretary DeVos lacks a basic understanding of key concepts in public education policy, and even more concerning, she has openly questioned the role of the Federal Government in protecting our most vulnerable students.

After her hearings, millions of people across the country stood up, made their voices heard, and called on the Senate to reject her confirmation. Although she squeaked through with an unprecedented tie—the breaking vote from Vice President PENCE—it was clear that Democrats, Republicans, and people across the country rejected her anti-public school agenda. Instead, they want the Department of Education to stand with students and with schools. We cannot in good conscience, through this rule, give Secretary DeVos another tool to promote her anti-public school agenda in ESSA implementation, and that is exactly what passing this resolution will do.

My colleagues across the aisle—the senior Senator from Tennessee made a number of claims in his remarks yesterday about this rule, and I want to go through a few of them because I believe they were off base on a number of levels.

First, the way my friend talked about what the law allows, or doesn't allow, in terms of rulemaking is absolutely wrong. Major laws like the Every Student Succeeds Act allow for and depend on Federal agencies to issue rules that help implement and clarify said laws. The Every Student Succeeds Act maintains the Secretary's overall authority to issue

rules and clarifications that are consistent with the law. This rule before us today is consistent with ESSA, and it provides important clarity to our States, our school districts, and our schools.

Secondly, the senior Senator from Tennessee misrepresented how this rule requires States to rate schools. While the Department's initial rule did require States to provide schools with a ''summative rating,'' my colleague across the aisle, as well as a number of education stakeholder groups, requested that the Department provide States more flexibility. The Department listened and took this out of the final rule which we are talking about today. In fact, the Council of Chief State School Officers, one of the groups who was concerned with the summative rating, said in a statement in response to this rule: ''It is clear the U.S. Department of Education listened to the feedback from state education chiefs across the country and made several important changes to ensure the accountability provisions in the Every Student Succeeds Act can be implemented in all States.'' And now the final rule only requires States to comply with ESSA in this area.

Finally, I want to say that my colleague was simply wrong in the way he talked about the impact of this rule on schools that are struggling. ESSA provides guardrails to make sure that grant sizes are sufficient to meet the needs of students, but it provides States with the flexibility to allot smaller grants to smaller sized districts and schools if that is what works best for them. But this rule in no way limits State decisionmaking in this area.

Those are just a few of the ways this rule was mischaracterized over the course of the debate. There were many others. I just have to say that it is disappointing because Democrats and Republicans worked together on this law. I thought there was a clear understanding of what the law intended. I assumed my colleagues understood what the Department was doing to implement our law in an open and collaborative way, and it is very concerning to me to hear such partisanship and false representations of our bipartisan law.

This rule does not dictate what States have to do in struggling schools. Instead, it balances the goals of ESSA—flexibility with Federal guardrails—and provides important clarity for our States.

A vote for this resolution is a vote to run away from the bipartisan nature of the Every Student Succeeds Act. It is a blunt instrument and a significant step in the wrong direction, and it will have a serious impact on our students, our schools, and our districts across the country.

I am disheartened to see that my Republican colleagues are jamming this partisan play through in the same fashion they did with Secretary DeVos's nomination.

Over the past few months, millions of students, parents, and teachers have made their voices heard about the importance of public education to them. They want us to work together, and they want us to build on the bipartisan law. This resolution does exactly the opposite.

I urge our colleagues to vote against this resolution and vote for our schools and our students and to vote for the bipartisan ESSA law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in 2015, 85 U.S. Senators voted to fix the No Child Left Behind Act. We reversed the trend to a national school board and began to restore decisions to classroom teachers, local school boards, and States. The Wall Street Journal said that it was ''the largest devolution of federal control to the States'' in 25 years.

The Department of Education regulation that we seek to overturn today does exactly the reverse. It begins to restore the national school board, and it begins to take away responsibility from classroom teachers, local school boards, and States. It does that in direct violation of the law we passed with 85 Senators voting for it 15 months ago.

The question before us today is not only whether we believe in a national school board or local school board, the question is whether we believe Congress ought to write the law or the U.S. Department of Education ought to write the law. Article I of the U.S. Constitution says that the U.S. Congress—we—should write the law.

The purpose of this resolution is to overturn a Department of Education regulation that in seven specific cases directly violates the Every Student Succeeds Act passed 15 months ago, and in 16 additional cases exceeds the authority allowed by the law. I spoke on this floor yesterday in detail of each of those 23 instances.

It is very unusual for the Congress to actually prohibit a department from regulating on an issue, but that is exactly what Congress did. The regulation we are seeking to overturn says to States: Ignore the law that 85 Senators passed 15 months ago. Ignore the law President Obama called a ''Christmas miracle.'' Ignore the law Governors, teachers, school boards, and superintendents all supported, and even ignore why they supported it, and listen instead to unelected bureaucrats at the U.S. Department of Education.

This regulation issued by the Department of Education specifically does things or requires States to do things Congress said in our law that the Department cannot do; therefore, it violates the law.

For example, Congress said to the Department: You cannot tell States what to do about fixing low-performing schools in Alaska or Tennessee or your State; that is a State decision. But this regulation does that anyway.

Congress said to the Department: You cannot tell States exactly how to rate the public schools. But this regulation does that anyway.

This isn't a trivial matter. The remarkable consensus that developed in 2015 in support of the bill fixing No Child Left Behind was, as I said earlier, to reverse the trend toward a national school board and restore to States, classrooms, teachers, and communities decisions about what to do about schools. People are fed up with Washington telling teachers and schools and superintendents and States so much about what to do about their children in 100,000 public schools. So this regulation, which contravenes the law, goes to the heart of that consensus.

This resolution ensures that the law is implemented the way Congress wrote it. This resolution restores flexibility. This resolution preserves local decision making. This resolution scuttles new and burdensome reporting requirements that are in the Department regulation. This resolution ensures strong accountability for our schools, but it is State accountability. That is what we decided in our law.

Chaos? My distinguished friend from Washington said ''chaos.'' The Secretary of Education has announced that States may continue to follow the exact same timeline that the former Secretary, Secretary King, announced for sending in their State plans. If they have questions about how to do that, they can read the law, they can read the guidance, they can read frequently asked questions, or they can make a telephone call.

This resolution does not in any way give the Secretary new authority. In fact, it limits her authority and the authority of the next Secretary. If we stand up and say we are not going to allow any Secretary of Education, whether it is Secretary King or Secretary DeVos, to, in 23 different instances in a regulation, contravene the authority granted in a law, that means we won't have Secretaries imposing their own policies. We will have Congress writing the law. This regulation—the one we are overturning is not required by the law. It is allowed by the law, but it is not required by the law. School districts can read the law.

Future Secretaries will be able to write regulations on this subject. Of course they will. When you overturn a regulation, it does mean the Secretary can't issue a new regulation that is substantially the same, but that simply means, in a commonsense way, the Secretary can't turn right around and do the same thing we just overturned.

This is a question of whether we are going to restore the national school board that 85 Senators voted to reverse. This is a question of whether you believe Congress writes the law or the U.S. Department of Education writes the law. This resolution upholds the law that received 85 votes from U.S. Senators.

I urge my colleagues to vote aye. An ''aye'' vote preserves the bipartisan

consensus. A ''nay'' vote undermines the bipartisan consensus.

I yield the floor.

I yield back any remaining time.

The PRESIDING OFFICER (Mrs. FISCHER). All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. PERDUE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—50

| | | |
|---|---|---|
| Alexander | Fischer | Paul |
| Barrasso | Flake | Perdue |
| Blunt | Gardner | Risch |
| Boozman | Graham | Roberts |
| Burr | Grassley | Rounds |
| Capito | Hatch | Rubio |
| Cassidy | Heller | Sasse |
| Cochran | Hoeven | Scott |
| Collins | Inhofe | Shelby |
| Corker | Johnson | Strange |
| Cornyn | Kennedy | Sullivan |
| Cotton | Lankford | Thune |
| Crapo | Lee | Tillis |
| Cruz | McCain | Toomey |
| Daines | McConnell | Wicker |
| Enzi | Moran | Young |
| Ernst | Murkowski | |

NAYS—49

| | | |
|---|---|---|
| Baldwin | Harris | Peters |
| Bennet | Hassan | Portman |
| Blumenthal | Heinrich | Reed |
| Booker | Heitkamp | Sanders |
| Brown | Hirono | Schatz |
| Cantwell | Kaine | Schumer |
| Cardin | King | Shaheen |
| Carper | Klobuchar | Stabenow |
| Casey | Leahy | Tester |
| Coons | Manchin | Udall |
| Cortez Masto | Markey | Van Hollen |
| Donnelly | McCaskill | Warner |
| Duckworth | Menendez | Warren |
| Durbin | Merkley | Whitehouse |
| Feinstein | Murphy | Wyden |
| Franken | Murray | |
| Gillibrand | Nelson | |

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 57) was passed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services.

The PRESIDING OFFICER. The Senator from Florida.

### FREEDOM FOR BOB LEVINSON

Mr. NELSON. Madam President, I come to the floor with a heavy heart because 10 years ago today, Robert Levinson, a former FBI agent, was detained in Iran on the tourist island of Kish Island in the Persian Gulf.

Bob is a very respected, long-time FBI agent who had served his country for 28 years and had since retired. He is the longest held civilian in our Nation's history. He is a husband, a father of seven, and now a grandfather of six, and he deserves to be reunited with his family.

Since Bob's detention, American officials have sought Iran's cooperation in locating and returning Bob to his family. Of course, Iranian officials have promised over and over their assistance, but after 10 long years, those promises have amounted to nothing. Bob still is not home.

The bottom line is, Iran is responsible for returning Bob to his family. If Iranian officials don't have Bob, then they sure know where to find him. So today we renew our call on Iran to make good on those promises and return Bob, return him to where he ought to be, with his family.

Iran's continued delay in returning him, in addition to the very serious disagreements the United States has with the Government of Iran about its missile program, its sponsorship of terrorism, and its human rights abuses, is just another obstacle Iran must overcome if it wants to improve relations with the United States.

We also urge the President and our allies to keep pressing Iran to make clear that the United States has not forgotten Bob and will not forget him until he is home. Obviously, we owe this to Bob, a servant of America, and we certainly owe it to his family.

To Bob's family, we recognize your tireless efforts over those 10 long years to bring your dad home, and we offer our sympathies.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

### AMERICAN HEALTH CARE ACT

Mr. CORNYN. Madam President, this week the Senate continues to press forward on a number of congressional review actions; in this case, a disapproval that will roll back and repeal many Obama-era regulations that have hurt people across the country and strangled our economic growth.

By doing away with excessively burdensome rules and regulations, we are delivering on our promise to the American people to actually do what we can to help the economy, to grow the economy, to create jobs and not hurt it with unnecessary, expensive, and burdensome redtape.

Earlier this year, we began the legislative process to deliver on our biggest promise: repealing and replacing ObamaCare with more affordable and more accessible healthcare options, options that will work for all American families. The American Health Care Act, introduced in the House on Monday, is the first step in fulfilling that promise.

ObamaCare is collapsing. It has already failed countless families across the country, and it has forced people off good insurance plans they liked and strong-armed them to sign up for plans that were more expensive, offered less care, and didn't even let them use the doctor of their choice. So we would be revisiting healthcare even if Hillary Clinton had been elected President of the United States because ObamaCare is in a meltdown mode.

ObamaCare has also saddled our economy with more than a trillion dollars in new taxes. Most of those taxes are so hidden that most Americans are probably not aware of the fact that there is even a tax charged on the premium for their health insurance policy, for example. Well, all of these taxes end up being absorbed and have to be paid by American families.

At its very core, the individual mandate of ObamaCare was a major power play and overreach by the Federal Government. Basically, what it said was, if you don't buy the government-prescribed health insurance plan, we are going to fine you; we are going to penalize you.

The government should not be able to force anyone to spend their own hard-earned money for something they don't want but have to buy under a threat of financial penalty. The American people have spoken up loudly and clearly and rightfully demanded that Congress do better, and we will.

Since the 2010 timeframe—when our colleagues on the other side of the aisle passed ObamaCare with 60 votes in the Senate, a majority in the House, and with the White House—they have lost the majority in the Senate, they have lost the majority in the House, and they have lost the White House. I think ObamaCare has been one of the major reasons why, because people, the more they learn about it, the less they like it, and they don't appreciate Washington forcing them to do things they don't want to do with their own money.

About 2 months ago, one of my constituents in Texas wrote me about her skyrocketing healthcare costs. Before last year, her premium was about $325 a month. A short time later, that was revised to $436 a month. This same Texan later moved from one city to another and, because of her change of address, her premium jumped to $625 a month. It started at $325 and is now $625. In 2017, thanks to ObamaCare, her premium went up again to an astronomical $820 a month. It started at $325 before ObamaCare and is now $820 a month. I don't know many people who could absorb that kind of increase in their healthcare insurance premium.

In about a year, her monthly healthcare payment jumped by more

than 150 percent—150 percent. That is hardly what I would call affordable; thus, the misnamed Affordable Care Act should be the un-Affordable Care Act.

To make matters worse, she then found that her provider would be putting a halt to individual plans in Texas, something that has been a recurring theme in my State and across the country. So while President Obama said: If you like your plan, you can keep your plan, as a result of ObamaCare, she was not able to keep her plan so she had to find a new plan and a new doctor, a plan ultimately with less care, less flexibility, and even a higher price.

Suffice it to say, for this constituent of mine and for millions more like her, ObamaCare is not working. ObamaCare is not affordable, and it is hurting Texans. It is time for Congress to keep its promise that we have made in every election since that given the privilege of governing—of being in the majority, being in a position to change things—we would repeal and replace ObamaCare with options that fit the needs of all Americans and their families at a price they can afford.

Mr. SANDERS. Will my friend from Texas yield for a question?

Mr. CORNYN. I will not, not at this time.

Fortunately, we now have a President in the White House who clearly sees the failure of ObamaCare and wants to do something about it. Republicans in Congress have introduced a bill, which is now being marked up in the House, that the President can actually sign, once it is passed, to get us out of this mess. The American Health Care Act is the vehicle to do just that, and I am glad President Trump endorsed the plan earlier this week.

It is a work in progress. The House committees are marking it up as we speak. There will be changes along the way, but, ultimately, the House will pass the bill and send it to the Senate. Then we will have an opportunity to offer our amendments during the course of its passage. The important point to make, though, is that this legislation will actually put patients first so they are not forced into a plan that they don't want or that provides coverage they can't afford. It does away with the outrageous new taxes and the penalties that have made the economy worse off and have made life harder for American families.

The legislation will also give families more flexibility so they can get the healthcare specific to their needs that actually works for them. If they decide, for example, to get a major medical policy that is relatively inexpensive and then use a health savings account to use pretax dollars to pay for their regular doctors' visits, they will have the flexibility to do that. So this legislation promotes sensible reforms to ensure that big ticket items like Medicaid are put on a more sustainable fiscal path.

I have heard some suggestions that this legislation actually guts Medicaid. That is false. That is not true. It actually continues at current levels in this shared State and Federal program, but it is subject to a cost-of-living index that will actually put Medicaid on a more sustainable path. Just as importantly, it will also return the authority back to the States to come up with the flexible programs they need to deal with the specific healthcare needs of the people of their State.

This legislation makes sure that Medicaid doesn't lose sight of its design, which is to serve the most vulnerable among us who can't afford access to quality healthcare. It provides them that access—and better access—by providing flexibility to the States.

We know that the States and the Federal Government spend an awful lot of money on Medicaid. In Texas, for example, my State spent close to one-third of its budget on Medicaid last year—one-third of all State spending—and it is uncapped, so it goes up every year by leaps and bounds. Under the American Health Care Act, Medicaid will be tied to the number of people in the State using it, a per capita rate, which makes sense, and it represents the first major overhaul of the program in decades.

ObamaCare left us with unchecked government spending, more taxes, and fewer healthcare options. This bill is the opposite of ObamaCare in every way. It will control spending in a commonsense way, it will repeal ObamaCare's taxes and the individual and employer mandate, and it will provide more flexible free market options for families across the country. That is not just a bumper sticker or advertisement; that is actually what is contained in the legislation.

I look forward to working with my colleagues in the House, in the Senate, and in the Trump administration to get this done in the next few weeks.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. Madam President, here we go again, debating the nomination of a Trump candidate who is both unqualified and reflects an extreme ideology for the Department she will hope to lead. In this case it is Seema Verma, and the Department is the Centers for Medicare and Medicaid, or CMS, as it is often called.

Why is CMS, an acronym for a department that most Americans don't even know about, so important that its nominee would make it to the floor of the U.S. Senate for debate? Because 100 million Americans receive health insurance coverage under one of our Federal insurance programs—Medicare, Medicaid, the Children's Health Insurance Program, and the health insurance marketplace created by the Affordable Care Act, all of which are under the jurisdiction of CMS.

CMS is the traffic cop of our Federal Government healthcare system. It makes sure that Americans have access to affordable, quality healthcare by administering and overseeing all aspects of our Federal health program. It promotes healthcare innovation and works to reduce waste, fraud, and abuse throughout our healthcare system.

Under the Trump administration and Republican leadership, which has vowed to repeal ObamaCare and get rid of Medicaid as we know it, the leader of CMS will be the person responsible for reducing Federal spending on public insurance programs, particularly for the poor, the elderly, and the disabled. Seema Verma is President Trump's nominee to try to meet that misguided and heartless challenge.

Republicans have an ancient animosity toward Medicaid, and it would seem that Ms. Verma shares that prejudice. Ms. Verma is most well known for proposals that penalize and create roadblocks to coverage for low-income Americans. She supports changes to Medicaid that would make it harder for those who need Medicaid to access it. This stance is fundamentally antithetical to the core principle of Medicaid, which is providing coverage for those who cannot afford it. For the most part, we are talking about poor people in the United States of America in 2017.

Despite the fact that research shows the onerous premiums or cost sharing for low-income individuals served as barriers to enrolling in and obtaining care, Ms. Verma supported a plan to require Medicaid enrollees to pay premiums through monthly contributions to a health savings account. Guess what. People who are poor enough to qualify for Medicaid rarely have enough money to dedicate to savings accounts of any kind. They are living day to day, week to week, month to month.

She also supports putting in place restrictions that put more burdens on low-income Americans than even private insurance. It will be Grandma and Grandpa who will pay the highest price.

Medicaid isn't just a line in our healthcare budget; it is a lifeline for millions of seniors in every State of the country. Here are the facts about the importance of Medicaid to our seniors. It is anticipated that by 2060, there will be more than 98 million Americans over the age of 65. The number of individuals over the age of 85 is expected to reach 14.6 million in 2040—triple the number in 2014. Of this population, 70 percent will likely use long-term services and supports, of which Medicaid is the primary player. Medicaid spent $152 billion on long-term support services like nursing home care in 2014.

Let me say that again. The entire defense budget is about $550 billion. We spent as a nation $152 billion—a little less than one-third of the defense budget—to take care of Grandma and Grandpa in nursing homes in 2014. They may have Alzheimer's, they may have other diseases, but, unfortunately, most families can't save $50, $60, $70,000 for year after year of nursing home coverage; that is Grandma and Grandpa.

The anticipated growth rate for Medicaid beneficiaries over the age of 65 is four times the rate of growth for all Medicaid beneficiaries. The only thing growing faster than the need for Medicaid is the number of people who are opposed to repealing the Medicaid expansion under ObamaCare. Medicaid pays for nearly two-thirds of individuals living in nursing homes.

Can I say that again? Medicaid pays for two-thirds of individuals living in nursing homes in our country. So if you know a family member who is in a nursing home who has Alzheimer's or some other disease, you can just assume that Medicaid is helping that family to ensure that Grandma or Grandpa is getting the care they deserve for what they did to build this great country.

Fundamentally restructuring Medicaid will place additional strain on already strapped State budgets because nursing facility care is a mandated Medicaid benefit. States may offset the increased costs in covering this service by further cutting payments to providers or removing benefits that seniors want and need, like home- and community-based services. It also puts more strain on working-class families because if Medicaid isn't picking up the cost of putting your grandma in a nursing home, that comes out of the pockets of other contributors to the family.

Unfortunately, Republicans want to undermine the Medicaid expansion under the Affordable Care Act, which is benefiting millions of seniors. They want to force seniors to pay more out-of-pocket for healthcare or forgo coverage because they cannot afford it.

What Republicans refuse to accept is that the Affordable Care Act is the most important program we have put in place for seniors since Medicare. The uninsured rate for Americans aged 50 to 64 dropped by nearly half after the passage of the ACA. The uninsured rate for this older population living in Medicaid expansion States was 4.6 percent while the uninsured rate for the same population living in a non-Medicaid expansion State was 8.7 percent—almost double.

Not only does the Republican proposal amount to an age tax by substantially increasing the amount an insurance company can charge for an older person, but it provides older Americans with fewer resources than what is available under ObamaCare to help cover their increased costs for care.

Unfortunately, as Republicans attempt to repeal ObamaCare, CMS is authorized by President Trump's Executive order to ''minimize the unwarranted economic and regulatory burdens'' of ObamaCare. In simple terms, that means undoing and privatizing vital provisions of the Affordable Care Act as soon as possible under the law.

CMS has also picked up a sledgehammer. It has already proposed new rules of slashing open enrollment times for the exchanges by over a month. It has proposed rules to relax the minimum standards for what qualifying health plans sold on the exchanges have to cover.

Now, more than ever, we need a leader at CMS who understands and respects the fundamental need for healthcare for our seniors, and for so many of them, that need is met by Medicaid. Ms. Verma's disdain for Medicaid is simply an insurmountable problem for the millions of older Americans in this country who rely upon this fundamental program.

Given her lack of experience and extreme views, several major groups that represent millions of working-class Americans have voiced strong opposition to her confirmation.

This is what the American Federation of State, County and Municipal Employees of the AFL–CIO said:

''Leading CMS is too important a role to be held by an individual who is committed to policies so radical they would jeopardize the health and lives of ordinary Americans.''

I could not agree more.

Seema Verma is the wrong person to run CMS at a time when millions of Americans are relying on the dignity and coverage that Medicare and Medicaid provide.

Instead of cutting funding for defense, Donald Trump wants to cut programs for the defenseless. The Trump administration would rather bestow billions more to the Pentagon to pay for new nuclear weapons, which we do not need and cannot afford, all the while supporting cuts to Medicaid and senior health. We should be cutting Minuteman missiles instead of Medicaid. We should be cutting gravity bombs instead of Grandma's prescriptions.

The Trump administration's plan for Medicaid and our overall healthcare system would be a nightmare for Grandma and Grandpa and millions of middle-class Americans.

I am opposed to Seema Verma's nomination, and I call on my colleagues to join me in voting no on her nomination when it is presented on the Senate floor.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I rise to support the nomination of Judge Neil Gorsuch to the U.S. Supreme Court. Hopefully, we will see his confirmation in the weeks to come.

As I have come to the floor and talked about before, Judge Gorsuch is a fourth-generation Coloradan who serves on the Tenth Circuit Court of Appeals, which is the U.S. circuit court that is housed in Denver, CO. It is the circuit court that oversees about 20 percent of the land mass in the States of Colorado, Oklahoma, and places in between. Once he is confirmed to the Supreme Court, Neil Gorsuch will become the second Coloradan to have served on the Court.

We have a great history of another Supreme Court Justice who served on the highest Court. Associate Justice Byron White had the distinction of being the only Supreme Court Justice to lead the NFL in rushing, and he was also from Colorado.

If Judge Gorsuch is confirmed, Justice Gorsuch will join Byron White as another Coloradan on the High Court. Justice Rutledge also received his bachelor's of law degree from the University of Colorado. So we do have a great history of Colorado westerners joining our Nation's highest Court.

Mr. Gorsuch was confirmed to the Tenth Circuit Court a little over 10 years ago—11 years ago—in 2006, by a unanimous voice vote. He was so popular and so well supported that there was not even a rollcall vote taken in this Chamber. It was a simple acclamation by a voice vote. In fact, Gorsuch's nomination hearing was deemed so noncontroversial that the last time, Senator GRAHAM was the only committee member to attend.

One may ask oneself what made and continues to make Judge Gorsuch such a mainstream nominee. I do not think we need to look any further than his original Judiciary Committee questionnaire to see that Judge Gorsuch possesses the right temperament and the right view of the role of judges.

I thought it was important that I read this from 11 years ago when Judge Gorsuch was confirmed to the Tenth Circuit Court. The questionnaire he filled out for the Judiciary Committee included then-Neil Gorsuch's—trying to be Judge Gorsuch—response to judicial activism and what it meant to Neil Gorsuch prior to his confirmation to the Tenth Circuit Court.

Here is what he replied to the Judiciary Committee in that committee questionnaire:

> The Constitution requires Federal judges to strike a delicate balance. The separation of powers embodied in our founding document provides the judiciary with a defined and limited charter.
>
> Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day.
>
> Judges must avoid the temptation to usurp the roles of the legislative and executive branches and must appreciate the advantages these democratic institutions have in crafting and adapting social policy as well as their special authority, derived from the consent and mandate of the people, to do so.
>
> At the same time, the Founders were anxious to ensure that the judicial branch never becomes captured by or subservient to the other branches of government, recognizing

that a firm and independent judiciary is critical to a well-functioning democracy.

The Constitution imposes on the judiciary the vital work of settling disputes, vindicating civil rights and civil liberties, ensuring equal treatment under the law, and helping to make real for all citizens the Constitution's promise of self-government. There may be no firmly fixed formula on how to strike the balance envisioned by the Constitution in specific cases, but there are many guideposts discernible in the best traditions of our judiciary.

A wise judge recognizes that his or her own judgment is only a weak reed without being fortified by these proven guides.

For example, a good judge recognizes that many of the lawyers in cases reaching the court of appeals have lived with and thought deeply about the legal issues before the court for months or years. A lawyer in the well is not to be treated as a cat's paw but as a valuable colleague whose thinking is to be mined and tested and who, at all times, deserves to be treated with respect and common courtesy.

A good judge will diligently study counsels' briefs and the record and seek to digest them fully before argument and then listen with respectful discernment to the arguments made by his or her colleagues at the bar.

A good judge will recognize that few questions in the law are truly novel, that precedents in the vast body of Federal law reflect the considered judgment of those who have come before us and embody the settled expectation of those in our own generation.

A good judge will seek to honor precedent and strive to avoid its disparagement or displacement.

A good judge will listen to his or her colleagues and strive to reach consensus with them. Every judge takes the same judicial oath; every judge brings a different and valuable perspective to the office.

A good judge will appreciate the different experiences and perspectives of his or her colleagues and know that reaching consensus is not always easy but that the process of getting there often tempers the ultimate result, ensuring that the ultimate decision reflects the collective wisdom of multiple individuals of disparate backgrounds who have studied the issue with care.

Throughout the process of adjudicating an appeal, a good judge will question not only the positions espoused by the litigants but also his or her own perceptions and tentative conclusions as they evolve.

And a good judge will critically examine his or her own ideas as readily and openly as the ideas advanced by others.

A good judge will never become so wedded to any view of any case so as to preclude the possibility of changing his or her mind at any stage—from argument through the completion of a written opinion.

Pride of position, fear of embarrassment associated with changing one's mind, along, of course, with personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do.

This is the response that then-Neil Gorsuch, prior to his becoming Judge Gorsuch, gave to the Senate Judiciary Committee and in response to a questionnaire about judicial activism and about what makes a good judge in his talking about fidelity to precedent, talking about the ability to reach a conclusion that may be in disagreement with one's own personal opinions, making sure that we respect the different branches of government, making sure that one listens to one's colleagues who are arguing a case and who have spent years in their getting to know the case and its every detail, and scrubbing your mind to question the positions that you thought you had to make sure that they mesh with the law, not with opinion.

Judge Gorsuch, when he was introduced at the White House when being nominated by the President, said that a judge who agrees with every opinion he reaches is probably a bad judge.

The institution we serve has that fidelity to the Constitution that we must preserve, that we must guard. Guardians of the Constitution, which judges represent, is something we confirm. It is our job to make sure the kind of judges we place on courts represent the kind of judge Neil Gorsuch truly is.

It is this temperament, this fidelity to the Constitution, this appropriate temperament, and remarkable humility that has made Judge Gorsuch a consensus pick in the past and, I believe, that could be a consensus pick in the near future.

It is reflected in the fact that, on February 23, Senator BENNET and I, along with the Judiciary Committee, received a letter from Colorado's diverse legal community in support of Judge Gorsuch's nomination to the Supreme Court.

The letter reads as follows:

As members of the Colorado legal community, we are proud to support the nomination of Judge Neil Gorsuch to be our next Supreme Court Justice. We hold a diverse set of political views as Republicans, Democrats, and Independents. Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and as a person. His record shows that he believes strongly in the independence of the judiciary. Judge Gorsuch has a well-earned reputation as an excellent jurist. He voted with the majority in 98% of the cases he heard on the 10th Circuit, a great portion of which were joined by judges appointed by Democratic Presidents. Seven of his opinions have been affirmed by the U.S. Supreme Court—four unanimously—and none has been reversed.

We ask that Colorado's Senators join together and support this highly qualified nominee from Colorado. Regardless of the politics involved in prior confirmation efforts, including what many consider to be the mistreatment of Judge Garland's nomination, a filibuster now will do Colorado no good.

Judge Gorsuch deserves a fair shake in the confirmation process. Please vote against a filibuster and vote for Judge Gorsuch's confirmation to the Supreme Court.

This letter from James Lyons is another such letter talking about the importance of the confirmation of Judge Gorsuch. I couldn't agree more with this letter and the letter that I read.

Judge Gorsuch is an exceptionally qualified jurist, to use their words, and he deserves a fair shake in the confirmation process that includes a timely up-or-down vote.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 7, 2017.

Hon. CHUCK GRASSLEY,
*Chairman, Committee on the Judiciary,*
*U.S. Senate.*

DEAR SENATOR GRASSLEY: I write this letter in strong support of the nomination and confirmation of Judge Neil Gorsuch for Associate Justice of the United States Supreme Court.

Judge Gorsuch has been known to me professionally for over twenty years, and his family even longer. In the mid-nineties, we were counsel together in successfully representing co-defendants in a major securities matter involving class action and derivative lawsuits in several jurisdictions across the country as well as SEC and Congressional investigations. Over the course of that complex representation in the following years, I came to observe first-hand his considerable lawyering skills, intellect, judgment and temperament. He was one of the finest trial lawyers with whom it has been my pleasure to be associated in my career. We also became personal and good friends which continued during the following years at his firm, later during his time at the Department of Justice and since returning to Denver to serve on the bench.

I was delighted by his appointment to the U.S. Court of Appeals for the Tenth Circuit based here in Denver. (He honored me by having me be one of two lawyers to introduce him to the court at his formal investiture.) Over his years of service on that court, he has distinguished himself with his work ethic, keen and thorough understanding of the case under review, his formidable analytical ability, and the clarity of his opinions. I have read many of his opinions and watched him in oral argument. He is engaging, courteous to counsel and demonstrates a full and unusual appreciation for the human impact of his decisions on the people involved. These are the qualities of an outstanding jurist.

Judge Gorsuch has been active and an important voice in the legal community and academy. He has written extensively, lectured and taught in continuing legal education seminars and served on the important federal Rules Committee, among others. He also has found time to sit on student moot courts and teach both ethics and federal jurisdiction at the University of Colorado Law School. He is regularly regarded by his students as one of their very best law professors—effective, challenging and personable.

Judge Gorsuch's intellect, energy and deep regard for the Constitution are well known to those of us who have worked with him and have seen first-hand his commitment to basic principles. Above all, his independence, fairness and impartiality are the hallmarks of his career and his well-earned reputation.

Sincerely,

JAMES M. LYONS.

Mr. GARDNER. Mr. President, I look forward to working with my colleagues across the aisle to make sure we fill this vacancy on the Supreme Court with one of this Nation's truly brilliant legal minds.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KENNEDY). Without objection, it is so ordered.

CUBA TRADE ACT

Mr. MORAN. Mr. President, I come to the floor today to speak about legislation I have recently introduced, although it is a follow-on to legislation I pursued over a number of years.

We have now introduced in this Congress the Cuba Trade Act. This is legislation which would lift the trade embargo to allow farmers and ranchers and small businesses and other private sector industries to freely conduct business, to sell products—agricultural products in particular—to the nation of Cuba and to its people.

Last month, I spoke about the terrific difficulties our farmers in Kansas and across the country are facing due to low commodity prices. The farm economy has fallen by nearly 50 percent since 2013, and that decline is expected to continue in 2017, making this perhaps, if not the worst, certainly one of the worst economic downturns in farm country since the Great Depression.

In 2016, harvests in our State and across much of the country were recordbreaking yields and historic in their magnitude, in fact. What that means is there are still piles of wheat, corn, and other grains all across Kansas just sitting on the ground next to the grain mill bins that are already filled to capacity. To sell this excess supply, our farmers need more markets to sell the food and fiber they produce.

Approximately 95 percent of the world's customers live outside U.S. borders. Markets in the United States will continue to grow, and they will evolve and will continue to meet the domestic consumer demand, providing the best, highest quality, safest food supply in the world, but in order to boost prices for American farmers, we need more markets. We need them now, we need them in the future, and we need to be able to indicate to our farmers that hope is in the works in global markets.

We have talked about the importance of trade, of exports from the United States, and particularly for the citizens of Kansas. That is particularly true for an agricultural State like ours where, again, 95 percent of the consumers live someplace outside of the United States. Cuba is only 90 miles off our border. They offer the potential for increased exports of all sorts of products but especially Kansas wheat.

In fact, while we are introducing this legislation now, we started down this path to increase our ability to sell agriculture commodities, food, and medicine to Cuba back when I was a Member of the House of Representatives. I offered an amendment then to an appropriations bill that lifted the embargo—the ability to sell; it would allow the ability to sell those foods, agricultural commodities, and medicine to Cuba for cash, up front. That bill was passed. It was controversial then. This issue of what our relationship ought to be with Cuba has always been contentious. But I remember the vote was about I think 301 to 116. A majority of Republicans and a majority of Democrats said it is time to do something different with our relationship with Cuba.

This was a significant step in opening up the opportunity to the products of American farmers and ranchers to that country. No longer were food, medicine, and agriculture commodities prohibited from being sold. And it worked for a little while, but unfortunately, in 2005, the Treasury Department changed the regulations, and it complicated the circumstances related to the embargo.

Cuba imports the vast majority of its food. In fact, wheat is Cuba's second largest import, second only to oil.

A point I would stress is that this is a unilateral sanction. Keep in mind that when we don't sell agricultural commodities to Cuba, somebody else does. While our unilateral trade barriers block our own farmers and ranchers from filling the market, willing sellers such as Canada, France, China, and others benefit at American farmers' expense. When we can't sell wheat that comes from a Kansas wheat field to Cuba, they are purchasing that wheat from France and Canada and other European countries. When the Presiding Officer's rice crop can't be sold to Cuba, it is not that they are not buying rice; they are buying it from Vietnam, China, or elsewhere.

It costs about $6 to $7 per ton to ship grain from the United States to Cuba. It costs about $20 to $25 to ship that same grain from the European Union. However, we lose this competitive advantage because of the regulations in place that drive up the cost of Cuban consumers dealing with the United States.

To understand what we are missing out on in Cuba, consider our current trade relationship with the Dominican Republic. The DR is also a nearby Caribbean nation with a population comparable to Cuba. Income levels and diet are similar. Between 2013 and 2015, the Dominican Republic imported an average of $1.3 billion of U.S. farm products. During that same time span, Cuba imported just $262 million—over $1 billion in difference. That is right. That is $1 billion of exports that U.S. farmers are missing an opportunity on because of the U.S. trade restrictions on Cuba. This example helps illustrate the substantial potential that exists for increased sale of agriculture commodities to Cuba.

The Cuba Trade Act I just introduced simply seeks to amend our own country's laws so that American farmers can operate on a level playing field with the rest of the world. While boosting American exports remains the primary goal of lifting the embargo, I also think there is an opportunity for us to increase the reforms and to improve the lives of the Cuban people as well.

I have often said here on the Senate floor and on the House floor and back home in Kansas we often say: We will try something once. If it doesn't work, we might even try it again. Maybe we will try it a third or a fourth time. But after more than 50 years of trying to change the nature of the Cuban Government through this kind of action, through this embargo, many Kansans would say it is time to try something else.

The Cuban embargo was well-intentioned at the time it was enacted. Today, however, it only serves to hurt our own national interests by restricting Americans' freedom to conduct business with that country. In my view, it is time to make a change, and we ought to be able to sell wheat, rice, and other agricultural commodities from the United States for cash to Cuba. This legislation would allow that at no expense to the American taxpayer.

KANSAS WILDFIRES

Mr. President, there is a lot to be proud about in being a Kansan. We have lots of challenges in our State, and we are undergoing serious ones at the moment. For those who have noticed on the news, although it is not particularly a story here in the Nation's Capital, Kansas is ablaze. Fires are devastating acres and acres. In fact, nearly 700,000 acres of grasslands in our State have been burned. Fires have started. We have had winds for the last 3 days of 50 to 60 miles an hour, and dozens of communities and counties have been evacuated. Lots of places have been hard hit. My home county of Rooks experienced those fires. Hutchinson, a community of 50,000 people, had to evacuate 10,000 people in what we would consider in our State a pretty big place. So they have been rampant and they have been real, and there have been significant consequences to many lives in our State.

As people know, Kansas is an agriculture place. We raise lots of crops, but we are certainly a livestock State, and our ranchers are experiencing the significant challenges that come from loss of pasture, the death of their cattle, and the burning of their fences.

On my way over here, I was reading a couple of articles that appeared in the Kansas press that I wanted to bring to my colleagues' attention. There is nothing here that necessarily asks for any kind of government help, but it does highlight the kind of people I represent.

There is a farm in Clark County. The county seat is Ashland. It is on the border with Oklahoma. Eighty-five percent of the county's grassland, 85 percent of the acres in that county have been burned. This means the death of hundreds, if not thousands, of cattle in that county. That is the economic driver of the communities there. Ashland, the county seat, has a population of

about 900 or 1,000—the biggest town in the county—and its future rests in large part upon what happens in agriculture.

There are lots of great ranch families in our State. One of those is the Gardiners. The Gardiner Ranch is in Clark County. Their story is told a bit in today's edition of the Wichita Eagle. They are known as some of the best ranchers in the country. For more than 50 years, they have provided the best Angus cattle. They have customers across the country. It is a family ranch. This is multigenerational, and three brothers now ranch together. It is not an unusual way that we do business in Kansas.

In addition to the economic circumstances that agriculture presents in our State, it is one of the reasons I appreciate the opportunity to advocate on behalf of farmers and ranchers. It is one of the last few places in which sons and daughters work side by side with moms and dads, and grandparents are involved in the operation. Grandkids grow up knowing their grandparents. There is a way of life here that is important to our country. Our values, our integrity, and our character are often transmitted from one generation to the next in this circumstance because we are still able to keep the family together, working generation to generation. The Gardiners are an example of that, but there are hundreds of Kansans who exemplify this.

I would like to tell the story of Mr. Gardiner, as reported by the Wichita Eagle. Mr. Gardiner said that he was slowly driving by some of his estimated 500 cattle that had died in this massive wildfire, and he complained on their behalf that they never had a chance. The fire was so fast. His ranch, as I said, is one of the most respected. The quality of the family's Angus cattle has been a source of pride and national attention for more than 50 years.

Like others, the Gardiners have endured plenty of bumps—and this is him telling their story—over five generations of ranching. The drought and dust of the 1930s was tough, he said, and there were even drier times in the 1950s. About 5 years ago, there was another drought in our State that was so devastating. He said his family lost 2,000 acres when they couldn't make a payment to the bank. Blizzards in 1992 killed a lot of cattle.

My point is that nothing is easy about this life, but there is something so special about it. The point I want to make is that people are responding to help, and I thank Kansans and others from across the country who are responding to the disasters that are occurring across our State throughout this week and into the future. This isn't expected to go away anytime soon.

Mr. Gardiner said that more hay is on the way, and the process of rebuilding fences will begin, hopefully, within a few weeks. He said he was sent word that Mennonite relief teams were coming from two Eastern States to work on his fences and to do so without pay. Truckloads of hay are already en route and rolling in. This story indicates that many of those truckloads of hay are coming from ranchers who in the past have bought livestock from the Gardiners.

Mr. Gardiner's veterinarian, Randall Spare, said that the Gardiners have long been known for taking exceptional care of their customers. The veterinarian says, ''Now it's their turn'' for the customers to repay them. ''The Gardiners are the cream of the crop, like their cattle. I'm not surprised so many people [from so many places] are wanting to help them.''

The reporter says that while he was talking to Mr. Gardiner for this interview, Mr. Gardiner answered his cell phone as his pickup slowly rolled across a landscape that now looked so barren. The reporter said that many of the calls were from clients who just called to send their best or to be brought up to date and to ask the Gardiners how they could help and how the Gardiners were holding up.

Mr. Gardiner said:

It's really something [special], when you hear a pause on the other end of the line and you know it's because [the person who called is] crying because they care that much. It gets like that with ranching. It's like we're all family.

That is a great thing about our State. It is like that with Kansas. We are all a family. But the fact is that his family is still alive. He tells the story of not knowing whether his brother and his wife were alive. The fire swept around them, but they found a place that avoided the fire, a wheat field where the wheat was still green and so short that the fire didn't intrude. But he stopped his truck to think a bit and, the story indicates, to sob a bit.

He watched as his brother Mark and his wife Eva disappeared behind a wall of fire as they tried to save their horses and dogs at their home. Ultimately, the house was destroyed. Mr. Gardiner, the one the reporter was talking to, said:

I had no choice but to turn around and drive away, with the fire all around me. For a half-hour I didn't know if my brother and his wife were dead or alive. I really didn't.

He said that then his brother and his wife and some firefighters gathered in the middle of that wheat field. It was so short and so green, it wouldn't burn. He said:

It was so smoky I didn't even know exactly where we were at. But then a firefighter came driving by and told us everybody made it out. That's when I knew Mark and his wife were alive. That's when I knew everything would eventually be all right. I am telling you, that's when you learn what's really important.

So today I come to the Senate floor to express my gratitude for the opportunity to represent Kansans like the Gardiners, farmers and ranchers across our State but city folks, as well, who know the importance of family, who know that living or dying is an important aspect of life but that how they live is more important, and to thank those people—not just from Kansas but from across the country—who have rallied to the cause to make sure there is a future for these families and for the farming and ranching operations.

It is a great country in which we care so much for each other, and that is exemplified in this time of disaster that is occurring across my State. I am grateful to see these examples, and I would encourage my colleagues that we behave the way Kansas farmers and ranchers do—live life for the things that are really meaningful and make sure we take care of each other.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services.

Mitch McConnell, Steve Daines, John Cornyn, Tom Cotton, Bob Corker, John Boozman, John Hoeven, James Lankford, Roger F. Wicker, John Barrasso, Lamar Alexander, Orrin G. Hatch, David Perdue, James M. Inhofe, Mike Rounds, Bill Cassidy, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''yea.''

The PRESIDING OFFICER. (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 44, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—54

| | | |
|---|---|---|
| Alexander | Fischer | Moran |
| Barrasso | Flake | Murkowski |
| Blunt | Gardner | Paul |
| Boozman | Graham | Perdue |
| Burr | Grassley | Portman |
| Capito | Hatch | Risch |
| Cassidy | Heitkamp | Roberts |
| Cochran | Heller | Rounds |
| Collins | Hoeven | Sasse |
| Corker | Inhofe | Scott |
| Cornyn | Johnson | Shelby |
| Cotton | Kennedy | Strange |
| Crapo | King | Sullivan |
| Cruz | Lankford | Thune |
| Daines | Lee | Tillis |
| Donnelly | Manchin | Toomey |
| Enzi | McCain | Wicker |
| Ernst | McConnell | Young |

NAYS—44

| | | |
|---|---|---|
| Baldwin | Gillibrand | Peters |
| Bennet | Harris | Reed |
| Blumenthal | Hassan | Sanders |
| Booker | Heinrich | Schatz |
| Brown | Hirono | Schumer |
| Cantwell | Kaine | Shaheen |
| Cardin | Klobuchar | Stabenow |
| Carper | Leahy | Tester |
| Casey | Markey | Udall |
| Coons | McCaskill | Van Hollen |
| Cortez Masto | Menendez | Warner |
| Duckworth | Merkley | Warren |
| Durbin | Murphy | Whitehouse |
| Feinstein | Murray | Wyden |
| Franken | Nelson | |

NOT VOTING—2

| | |
|---|---|
| Isakson | Rubio |

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 44.

The motion is agreed to.

The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, following leader remarks on Monday, March 13, the Senate resume executive session for the consideration of Executive Calendar No. 18, and that the vote on confirmation occur at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MORAN. Mr. President, on behalf of the majority leader, there will be no further votes this week in the U.S. Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President and colleagues, today the Senate turns to consider the nomination of Seema Verma to be the Administrator of the Centers for Medicare and Medicaid Services.

I would be the first to say that in coffee shops across the land, people are not exactly buzzing about the office known as CMS, but the fact is, this is an agency that controls more than a trillion dollars in healthcare spending every year. Even more important and more relevant right now, if confirmed, and if TrumpCare somehow gets rammed through the Congress over loud and growing opposition, this is going to be a major issue on her plate right at the get-go.

I thought it would be useful to just give one example of the connection involved in this legislation. TrumpCare cuts taxes for the special interests and the fortunate few by $275 billion, stealing a chunk of it from the Medicare trust fund that pays for critical services to the Nation's older people.

If TrumpCare passes and Ms. Verma is confirmed, under section 132 of the bill, she would be able to give States a green light to push the very frail and sick into the high-risk pools that have historically failed at offering good coverage to vulnerable people at a price they can afford. Under section 134 of TrumpCare, Ms. Verma would be in charge of deciding exactly how skimpy TrumpCare plans would be and how much more vulnerable people would be forced to pay out of their pockets for the care they need.

Under section 135 of the bill, if confirmed, Ms. Verma could be paving the way for health insurers to make coverage more expensive for older people approaching retirement age.

Given all that, I want Members to understand there is a real link between this nomination and the debate about TrumpCare, and this is, in effect, the first discussion we have had about TrumpCare since these bills started to get moving without any hearings and getting advanced in the middle of the night.

The odds were against Republicans writing a single piece of legislation that would make healthcare more expensive, kick millions off their coverage, weaken Medicare and Medicaid, and produce this Robin Hood in reverse, this huge transfer of wealth from working people to the fortunate. Nobody thought you could do all of that at the same time, but somehow the majority found a way to do it. Republicans are rushing to get it passed before the American people catch on.

As part of this debate about Seema Verma, we are going to make sure people understand this nomination is intertwined with what happens in the discussion about TrumpCare and how these particularly punitive provisions with respect to Medicare and Medicaid would affect our people.

For 7 years, my colleagues on the other side have pointed to the Affordable Care Act as pretty much something that would bring about the end of Western civilization and, at a minimum, would basically continue a system responsible for every ill in our healthcare system. That was the argument. The Affordable Care Act is responsible for just about every ill and will practically be the end of life as we know it.

Their slogan was to ''repeal and replace,'' and it was a slogan they rode through four elections to very significant success. The only problem was, it was really repeal and run, and that replacement was nowhere in sight. Now the curtain has been lifted. The lights are shining on TrumpCare, and it sure looks to me like there are a lot of people not enjoying the movie. TrumpCare goes back to the days when healthcare in America mostly worked for the healthy and the wealthy.

We have a lot of debate ahead, so we are not going to just lay it all out here in one shot.

I do want to mention some key points on the roll that Ms. Verma, if confirmed, would play. I want to start by addressing what this means in terms of dollars and cents.

If you look at the fact that the Medicare tax, which everybody pays every single time they get a paycheck, and that money is used to preserve this program that is the promise of fairness to older people—the Medicare tax would be cut for only one group of Americans in this bill. I find this a staggering proposition. The people who need it the least, couples with incomes of over $250,000, people who need it the least would be given relief from the Medicare tax—not working families, just the wealthy.

As I indicated, we are talking all told about $275 billion worth of tax cuts to the special interests and the fortunate few, and it is largely paid for by taking away assistance to working people to help, for example, pay for their premiums.

I brought up the ACA Medicare payroll tax for a reason because I think when Americans look at their next paycheck—if you are a cop or a nurse and you get paid once or twice a month and you live, say, in Coos Bay, OR, or in Medford, another Oregon community, you will see it on your paycheck. If you are a cop or a nurse, no tax relief for you, but if you make over $250,000—on a tax that is used to help strengthen Medicare's finances, at a time when we are having this demographic revolution—the relief goes to people right at the top, and you reduce the life expectancy of the trust fund for 3 years.

The first thing I will say with respect to what this means, the provision I have just outlined breaks a clear promise made by then-Candidate Trump not to harm Medicare.

I remember these commercials—we all saw scores and scores of them—Candidate Trump said to America's older people—many of whom voted for him, I think, to a great extent because they heard this promise—he said: You know, you have worked hard for your Medicare. We are not going to touch it. We are not going to mess with it.

When the President was asked about cutting Medicare, here is what he said: Medicare is a program that works. People love Medicare, and it is unfair to them. I am going to fix it and make it better, but I am not going to cut it.

The President of the United States said he is not going to cut it.

Well, that promise not to harm Medicare lasted 6½ weeks into the Trump administration so the wealthy—the wealthy—could get a tax reduction, the fortunate few who need it least, and

the effect would be to cut by 3 years the life of the Medicare trust fund.

I think that ought to be pretty infuriating and concerning for people who work hard—cops and nurses and people who are 50, 55, 60 today. They are counting on Medicare to be around when they retire, but because TrumpCare made it a focus to give tax relief to the fortunate few, that tax relief cuts 3 years off the life of the Medicare trust fund.

If that wasn't enough, people who are 50, 55, 60, before Medicare, they are going to get another gut punch. This one is in the form of higher costs.

In parts of my home State—particularly in rural areas like Grant County, Union County, and Lake County—I am sure I am going to hear about this. I have townhall meetings in each one of my counties. A 60-year-old who makes $30,000 a year—now those are the people we have long been concerned about, particularly people between 55 and 65 because they are not yet eligible for Medicare.

A 60-year-old, in communities like I just mentioned, who makes $30,000 a year, could see their costs go up $8,000 or more. The reason that is the case is a big part of TrumpCare. It is based on something we call an age tax.

Back in the day when I was the director of the Oregon Gray Panthers—and I was really so fortunate at a young age to be the director of the group for close to 7 years—we couldn't imagine something like the hit on vulnerable older people that this age tax levies. Republicans want to give the insurance companies the green light to charge older Americans five times as much as they charge younger Americans. The reality is that older people are going to pay a lot more under TrumpCare. That is what we were trying to prevent all those years with the Gray Panthers. We didn't want to see older people pay more for their healthcare, the way they are going to under TrumpCare if they are 50 or 55 or 60.

I think the real question is whether they are going to be able to afford insurance at all. The reality is that a lot of those older people whom I have just described—and I have met them at my townhall meetings—every single week they are walking on an economic tightrope. They balance their food costs against their fuel costs and their fuel costs against their rent costs. Along comes TrumpCare and pushes them off the economic tightrope where they just won't be able to pay the bills, particularly older people in rural areas.

So the reality is that it is expensive to get older in America, and we ought to be providing tools to help older people. But what TrumpCare does is, instead of giving tools to older people to try to hold down the costs, TrumpCare basically empties the toolbox of assistance and basically makes older people pay more.

Next, I want to turn to the Medicaid nursing home benefit. Working with senior citizens, I have seen so many older people—the people who are on an economic tightrope, who are scrimping and saving—even as they forego anything that wouldn't be essential, burn through their savings. So when it is time to pay for nursing home care, they have to turn to Medicaid. The Medicaid Program picks up the bill for two out of every three seniors in nursing homes.

Now, today the Medicaid nursing home benefit comes with a guarantee. I want to emphasize that it is a guarantee that our country's older people will be taken care of. All of those folks—the grandparents whom we started working for in those Gray Panther days—had an assurance that grandparents wouldn't be kicked out on the street. TrumpCare ends that guarantee.

You could have State programs forced into slashing nursing home budgets. You could see nursing homes shut down and the lives of older people uprooted. We could, in my view, have our grandparents that are depending on this kind of benefit get nickeled and dimed for the basics in home care that they have relied on.

When it comes to Medicaid, TrumpCare effectively ends the program as it exists today, shredding the healthcare safety net in America. It doesn't only affect older people in nursing homes. It puts an expiration date—a time stamp—on the Medicaid coverage that millions of Americans got through the Affordable Care Act. For many of those vulnerable persons, it was the first time they had health insurance. So what TrumpCare is going to come along and do is to put a cap on that Medicaid budget and just squeeze them down until vulnerable persons' healthcare is at risk.

If low-income Americans lose their coverage through Medicaid, it is a good bet that the only TrumpCare plans they will be able to afford are going to be worth less than a Trump University degree.

I want to move next to the effects of the bill on opioid abuse. Clearly, by these huge cuts to Medicaid, TrumpCare is going to make America's epidemic of prescription drug abuse-related deaths even worse. Medicaid is a major source of coverage for mental health and substance use disorder treatment, particularly after the Affordable Care Act, but this bill takes away coverage from millions who need it. We have had Republican State lawmakers speaking out about this issue as well as several Members of the majority in the Congress.

Colleagues, just about every major healthcare organization is telling the Congress not to go forward with the TrumpCare bill—physicians, hospitals, AARP—that is just the beginning. But the majority is just charging forward, rushing to get this done as quickly as possible.

We are going to have more to say about these issues.

I see my colleagues here.

To close, just by intertwining, how this appointment is going to be a key part of the discussion of TrumpCare revolves around the questions we asked Ms. Verma.

For example, I was trying to see if this bill would do anything to help older people hold down the cost of medicine. Now we have heard the new President talk about how he has all kinds of ideas about controlling the cost of medicine. Here was a bill that could have done something about it.

I see my colleagues, Senator STABENOW and Senator CANTWELL.

I said to the nominee: I would be interested in any idea you have—any idea you have—to hold down the cost of medicine. On this side we have plenty of ideas. We want to make sure that Medicare could bargain to hold down the cost of medicine. We have been interested in policy to allow for the importation of medicine. We said: Let's lift the veil of secrecy on pharmaceutical prices.

I asked Ms. Verma: How about one idea—just one—that you would be interested in that would help older people with their medicine costs. She wouldn't give us one example.

I am going to go through more of those kinds of questions, because the reality is—and I see Senators STABENOW and CANTWELL here—that what we got in the committee was essentially healthcare happy talk. Every time we would ask a question, she would say: I am for the patients; I want to make sure everybody gets good care.

So I thank my colleagues, and I yield for Senator CANTWELL.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, will the Senator yield for a question?

Mr. WYDEN. Of course.

Ms. CANTWELL. Mr. President, I ask this of my colleague, the Senator from Oregon, because Washington, Oregon, and so many other States spend so much time innovating. The proposal we are seeing coming out of the House of Representatives really isn't innovation. I like to say that if you are looking at this, just at the specifics, the per capita cap is really just a budget mechanism. It doesn't have anything to do with innovation. It just has to do with basically triggering a cut to Medicaid and shifting that cost to the States. My concern is that we already do a lot with a lot less, and we know how to innovate. We would prefer that the rest of the country follow that same model. I would ask the Senator from Oregon: Do you see any innovation in this model, in capping and cutting the amount of Medicaid and shifting that to the States?

Mr. WYDEN. My colleague from Washington is ever logical.

When I looked at this, I thought of it as an innovation desert because I was looking for some new, fresh ideas. We have seen some of them from Senator CANTWELL's State, and I think the Senator from Washington makes a very

important point with that poster because the reality is that this is a cap. This is a limit on what States are going to get. As I touched on in my comments, I think what is going to happen is this cap is not going to be enough money for the needs. I think this is going to slash the help for nursing home care under Medicaid, which pays two-thirds of the bill, and I think the nursing home care under this flawed TrumpCare proposal is going to get nickeled and dimed.

My colleague from Washington is right. I tried to read section by section, and we have read it several times. But we wanted to make sure to look—to my colleague's point—for innovation, and this proposal is an innovation desert.

Ms. CANTWELL. I ask the Senator from Oregon this through the Presiding Officer. The innovation that was already in the Affordable Care Act really did address the Medicaid population, in which so much of that cost is for long-term care and nursing home care. So Medicaid equals long-term care for so many Americans. In the Affordable Care Act we accelerated the process of shifting the cost to community-based care because it is more convenient for patients and up to one-third of the cost of a nursing home. So if we keep more people in their homes, that is better innovation.

In the Affordable Care Act, we incentivized States. In fact, we had 21 States take us up on that—including Arkansas, Connecticut, Georgia, Iowa, Kentucky, Louisiana, New Hampshire, Texas, Ohio, Nevada, Nebraska. There are many States that are doing this innovation and basically trying to move the Medicaid population to community-based care so we can save money.

Savings from rebalancing could make up for a large portion of the money the House is trying to cut in this bill. Basically, they are not saving the money. They are shifting the burden to the States, instead of giving innovative solutions to people to have community-based care; that is, long-term care services and staying in their home longer. Who doesn't want to stay in their home longer? Then we support them through community-based delivery of long-term healthcare services, and we save the Nation billions of dollars.

In fact, our State did this over a 15-year period of time, and we saved $2.7 billion. That is the kind of innovation we would like to see. But instead of implementing the innovation we started in the Affordable Care Act, they are trying to cap the Medicaid funding, which basically is changing the relationship from a mutually supported State and Federal partnership to a capped federal block grant. They are just saying: We are going to cost-shift this burden to you the States.

I saw that the Center on Budget and Policy Priorities analyzed the current House proposal and found it would result in a $387 billion cost shift to the States. Does the Senator from Oregon think that Oregon has the kind of money to take its percentage of that $370 billion?

To my colleague from Michigan: Does the Senator think the State of Michigan has the dollars to take care of that Medicaid population with that level of a cut?

Ms. STABENOW. If I might lend my voice on this and thank both of my colleagues. Senator CANTWELL has been the leader in so many ways on innovation in the healthcare system as we debated next to each other in the Finance Committee on the Affordable Care Act.

I wanted to share that in Michigan, where we expanded Medicaid, because of changes that have been made and work that is being done in the budget going forward in the new year, there is now close to $500 million more in the State of Michigan budget than was there before because of Medicaid expansion and the ability to manage healthcare risk. People have more healthcare coverage. We actually have 97 percent of the children in Michigan who can see a doctor today, which is incredible. At the same time the State is going to save close to $500 million in the coming year's budget.

Mr. WYDEN. If I can add this, because I think my colleagues are making a very important point. If you look at the demographics, there are going to be 10,000 people turning 65 every day for years and years to come. Senators STABENOW and CANTWELL are making a point about flexibility. The reality is, if I look at the demographic picture, we are going to need more out of a lot of care options—institutional care, community-based coverage. But I think the point Senator CANTWELL started us on is that, at a time when we have a demographic where we are going to need more for a variety of care options—a continuum of care—what my State is basically saying is that we are going to get less of everything. There is going to be less money for the older people who have nursing home needs. I am looking at a new document from the Oregon Department of Human Services, and it indicates that we are going to lose substantial amounts—something like $150 million for community-based kinds of services. So I appreciate the point my two colleagues are making.

Ms. CANTWELL. Mr. President, if I could, I will ask the Senator from Oregon one more question, and maybe my other colleagues will join in.

When you do not realize the savings and you cost-shift to the States, some of the key populations that you hurt are pregnant women and children. We do not want to have less money. If you think about Medicaid, pregnant women and children are a big part of the population.

I know our colleague from Pennsylvania has joined us, and he has been a champion for the Children's Health Insurance Program—CHIP—and everything that we do for women and children. I don't know if he has seen this in his State. I don't know if the Senator from Oregon or the Senator from Michigan or the Senator from Pennsylvania wants to comment on this—on the notion that we are not realizing the savings from delivery innovations like rebalancing, and then figuring out how to best utilize those for the delivery of the services that so many people are counting on. With a per capita cap, you are really going to be starting in a very bad place with the people who need these resources the most, and when it comes to Medicaid, women and children are front and center in this debate.

I hate the fact that somebody is going to cost-shift to the States, that the States are not going to have enough money, and then the very people who would end up paying the price are the women and children. I don't know if the Senator from Oregon, the Senator from Michigan, or the Senator from Pennsylvania wants to comment on that.

Ms. STABENOW. I thank the Senator very much. I will say this briefly and then turn to our colleague from Pennsylvania, who has been such a champion for children.

I would say first—again, as I said a moment ago—that, because of Medicaid, because of the healthcare expansion, 97 percent of the children in Michigan now can see a doctor. That means moms who are pregnant and babies, and moms and dads are less likely to be going to bed at night and saying: Please, God, do not let the kids get sick, because they can actually go to a doctor.

It reminds me, though, of the other thing happening on the floor and the larger question of the nominee for the Centers for Medicare and Medicaid Services. In the larger context, I asked her about whether or not maternity care and prenatal care should be covered as a basic healthcare requirement for women. I mean, it is pretty basic for us. She wouldn't answer the question. Essentially, she said women can buy extra if they want it. The new Secretary of Health and Human Services said that we, as women, can buy extra coverage for basic healthcare coverage for us. So it all comes together—Medicaid, the nominee on the floor, and what the House is doing to take away maternity care. It is really just bad news for moms and babies.

Mr. WYDEN. I would only add that what we learned in our hearings and in our discussion is that women, particularly the women served by the Medicaid Program, are really dealing with the consequences of opioid addiction as well.

In our part of the world, I would say to Senator STABENOW and Senator CASEY—in Oregon and Washington—we feel like we have been hit with a wrecking ball with this opioid problem. Again, when Senator CANTWELL talks about shifting the costs, she is not talking about something abstract. This

is going to take away money for opioid treatment.

So I am very pleased that my colleague is making these points, and I look forward to the presentation.

Mr. CASEY. Mr. President, I thank Senator CANTWELL for raising the issue about the impact of this decision that the Congress will make with regard to a particular healthcare bill and then also, particularly, the Medicaid consequences.

I was just looking at what is a 2-page report that was just produced today and that I was just handed from the Center on Budget and Policy Priorities. It is State specific.

In this case, looking at the data from Pennsylvania—I will not go through all of the data on Medicaid—just imagine that three different groups of Americans have benefited tremendously from the Medicaid Program every day. That is why what is happening in the House is of great concern to us.

We have in Pennsylvania, for example—just in the number of Pennsylvanians who have a disability—722,000 Pennsylvanians with disabilities who rely upon Medical Assistance for their medical care. Medical Assistance is our State program that is in partnership with Medicaid. There are 261,000 Pennsylvania seniors who get their healthcare through Medicaid. Hundreds and hundreds of thousands of people who happen to be over the age of 65 or who happen to have a disability of one kind or another are totally reliant, on most days, on Medicaid. The third group, of course, is the children, and 33 percent of all of the births in Pennsylvania are births that are paid for through Medicaid.

When we talk about this bill that is being considered in the House or when we talk about the confirmation vote for the Administrator for the Centers for Medicare and Medicaid Services, this is real life. What happens to this legislation and what happens on this nomination is about real life for people who have very little in the way of a bright future if we allow some here to do what they would like to do, apparently, to Medicaid.

It sounds very benign to say that you want to cap something or that you want to block-grant. They are fairly benign terms. They are devastating in their impact, and we cannot allow it to happen. That is why this debate is so critical.

I have more to say, but I do commend and salute the work by Senator CANTWELL, Senator STABENOW, and Senator WYDEN in fighting these battles.

I will read just portions of a letter that I received from a mom in Coatesville, in Southeast Pennsylvania, about her son, Rowan. The mom's name is Pam. She wrote to us about her son, who is on the autism spectrum. In this case, she is talking about the benefits of Medicaid—Medical Assistance we call it in Pennsylvania.

Here is what she wrote in talking about the benefits that he receives. After he was enrolled in the program, she said that Rowan had the benefit of having a behavioral specialist consultant. That is one expert who was helping Rowan, who was really struggling at one point. A second professional they had helping him was a therapeutic staff support worker. So there was real expertise to help a 5-year-old child get through life with autism.

Here is what his mom Pam wrote in talking about, since he was enrolled, how much he has benefited and how much he has grown and progressed:

He benefited immensely from the CREATE program by the Child Guidance Resource Centers, [which is a local program in Coatesville]. Thankfully, it is covered in full by Medicaid.

She goes on to write the following, and I will conclude with this:

Without Medicaid, I am confident I could not work full time to support our family. We would be bankrupt, and my son would go without the therapies he sincerely needs.

Here is how Pam concludes the letter. She asks me, as her representative—as her Senator—to think about her and her family when we are deliberating about a nomination like this and about healthcare legislation.

She writes:

Please think of us when you are making these decisions. Please think about my 9-month-old daughter, Luna, who smiles and laughs at her brother, Rowan, daily. She will have to care for Rowan later in life after we are gone. Overall, we are desperately in need of Rowan's Medical Assistance and would be devastated if we lost these benefits.

This is real life for people. Sometimes it is far too easy here in Washington for people to debate as if these things are theoretical—that if you just cut a program or cap a program or block-grant a program, you are just kind of moving numbers around and moving policy around. This is of great consequence to these families, and we have to remember that when we are making decisions around here.

Everyone who works in this building as an employee of the Federal Government gets healthcare. We do not have someone else around the country who is debating whether or not we are going to have healthcare, like those families on Medicaid are having to endure.

I thank the Senator from Washington. I know that Senator STABENOW from Michigan may have more to add on this. We have a big battle ahead, but this is a battle that is not only worth fighting, but it is absolutely essential that we win the battle to protect and support Medicaid.

Ms. STABENOW. Mr. President, as Senator WYDEN's colloquy comes to an end, I will make a few comments in addition to those of my colleagues, and I very much appreciate all of their work.

There are so many different things to talk about as it relates to how healthcare impacts people. As Senator CASEY said, this is very personal; it is not political. There are a lot of politics around this, but it is very, very personal.

In Michigan, when we are talking about healthcare, in Medicaid alone we are talking about 650,000 people who have been able to get coverage now. Most of them are working in minimum wage jobs, and they now are able to get healthcare but couldn't before, as well as their children. That adds to the majority of seniors who are in nursing homes now, folks getting long-term care, folks getting help for Alzheimer's and other challenges and who are relying on Medicaid healthcare to be able to cover their costs.

I want to share a letter, as well, from Wendy, a pediatric nurse practitioner from Oakland County in Michigan. We have received so many letters—I am so grateful for that—and emails.

She writes:

As a pediatric nurse practitioner, I have seen so many of my patients benefit from the Affordable Care Act. Physical exams for the kids are now covered in full, with no co-pay. This means the kids are in to see us, which means we catch healthcare issues and early problems with growth or development that otherwise might be undetected and left untreated until it became a much bigger problem.

Isn't that what we all want for our children, to catch things early?

Immunizations are covered, which keeps everyone safer. Screening tests are covered, so potential problems are caught while they can still be managed. This better care keeps kids healthier and happier and prevents longer term care costs.

She goes on to write:

The Medicaid expansion means even more kids are covered, keeping not only those children healthier but keeping everyone around them healthier. Previously, parents of children who did not have insurance coverage would not seek care until the children were so ill that they could not see another option. Frequently, these children then utilized emergency room care—

Which, by the way, is the most expensive way to treat health problems—

[it was] not only a missed opportunity for complete and preventative healthcare but at a cost passed on to the community.

On a much more personal level, in 2015, our granddaughter, at age 3, was diagnosed with epilepsy related to a genetic condition . . . which made her brain form abnormally. On top of the epilepsy, she has developmental delays and autism, all related to her double cortex syndrome. Although our daughter and son-in-law are fully employed (teacher and paramedic), she qualifies for Children's Special Health Care (under Medicaid). This has been a huge blessing for us, and without it our family would have been financially devastated.

We are hopeful that my granddaughter will continue to have good seizure control and will develop to reach her full potential, but without the care that her private insurance and Children's Special Health Care provides, she would not have much of a chance of getting anywhere near her potential. I do not want to even consider how it will affect her future if insurance companies can refuse to cover her care due to her preexisting condition.

She concludes:

Please do not let partisan politics take precedence over doing what is right and what is best for the health of every U.S. citizen.

I know we are all getting hundreds of thousands of letters and emails and phone calls of very similar stories because healthcare is personal to each of

us—to our children, our grandchildren, our moms, and dads, and grandpas and grandmas. It is not political.

I am very grateful for my colleagues' being here today. I want to speak not only about the importance of expansion under Medicaid but also about the person who would be in charge of that very, very important set of services. That is the nomination in front of us, that of Seema Verma to be the Administrator of the Centers for Medicare and Medicaid Services.

This is a critical position, especially given the ongoing efforts that we are seeing right now to repeal healthcare—the Affordable Care Act—and replace it with legislation that would literally rip away coverage for millions of people and pull the thread that unravels our entire healthcare system. The decisions of the Administrator, both as an adviser to the President and as someone with the authority to make large changes in the implementation of existing law, will have far-ranging consequences for all of us—certainly, for the people whom we represent and especially for those who need healthcare, have begun receiving it, and now may very well see it taken away.

In the Finance Committee, when I asked Ms. Verma about Medicaid, I found that her positions would hurt families in Michigan, would hurt seniors in nursing homes, and would hurt children. And looking at her long record as a consultant on Medicaid, we know that Mrs. Verma's proposals limit healthcare coverage and make it harder to afford healthcare coverage, putting insurance companies ahead of patients and families once again.

I am also very concerned about her position on maternity coverage. During the hearing, I asked Ms. Verma whether women should get access to basic prenatal care and maternity care coverage as the law now allows—I am very proud of having authored that provision in the Finance Committee—or whether insurance companies should get to choose whether to provide basic healthcare coverage for women. I reminded her that before the Affordable Care Act, only 12 percent of healthcare plans available to somebody going out to buy private insurance offered maternity care—the vast majority did not—and that the plans that did often charged extra or required waiting periods. Her response indicated that coverage of prenatal and maternity care should be optional—optional. We as women cannot say our healthcare is optional.

The next CMS Administrator should be able to commit to enforcing the law requiring maternity care to be covered and commit to protecting the law going forward for women. Being a woman should not be a preexisting condition. Getting basic healthcare should not mean we have to buy riders or extra coverage because being a woman and the coverage we need is somehow not viewed as basic by the insurance company. We have had that fight. Women won that fight with the Affordable Care Act. We should not go backward.

I followed up with Ms. Verma, along with many colleagues, but have not received a response.

Over 100 million Americans count on Medicare and Medicaid. They need a qualified Administrator who puts their needs first, and I cannot vote for a nominee who does not guarantee that she will fight for the resources and the healthcare that the people of Michigan count on and need.

TRUMPCARE

Finally, I wish to take a moment to talk about the healthcare bill that has now come out of committees in the House and will be voted on in the House and then coming to us in the Senate. Frankly, let me start by saying that this is a mess—it is a mess on process, and it is a mess on substance.

As a member of the Finance Committee, I can tell my colleagues firsthand that this was not rammed through the Senate Finance Committee when we passed the Affordable Care Act. We had months and months and months of hearings, of which I attended every one, I think, and after that, the floor debate and that discussion and the discussion in the House. We knew what it would cost before we brought it up, by the way, which saved a lot of money by doing a better job of managing healthcare costs and creating innovation for our providers.

But the truth is that when we look closely at what is being debated in the House, for families in Michigan and across the country, it is really a triple whammy: higher costs, less healthcare coverage, and more taxes. Overall, it means more money out of your pocket as an American citizen, unless you are very wealthy, and it means less healthcare. This is not a good deal.

It cuts taxes for the very wealthy and for insurance companies. It gives an opportunity for insurance company execs to get pay increases and cuts taxes for pharmaceutical companies. Someone making more than $3.7 million a year would save almost $200,000. Let me say that again. Someone making more than $3.7 million a year would put $200,000 in their pocket as a result of this healthcare bill, TrumpCare. To put that in perspective, 96 percent of Michigan taxpayers would not qualify for this. Ninety-six percent of everybody in Michigan who gets up every day, goes to work, works hard—some take a shower before work, some take a shower after work—they are working hard every single day, and they would pay more, while the small percentage of those at the very top would get $200,000 back in their pockets.

As I indicated, it provides a tax break for insurance company CEOs to get a raise of up to $1 million but increases taxes and healthcare costs for the majority of Americans. Middle-class Americans and those working to get into the middle class would see tax increases and lose healthcare coverage at the same time—such a deal.

For seniors, this would allow insurance companies to hike rates on older Americans by changing the rating system. AARP, a nonpartisan organization, has indicated that premiums would increase up to $8,400 for somebody who is 64 years of age earning $15,000 a year. So they earn $15,000 a year, and their premiums could go up by more than half of what they are making. To put that in perspective—again, a comparison of who wins and loses under this plan—if you are 64 years old and earn $15,000 a year, you pay more—$8,400 more. If you are 65 years of age and earn over $3.5 million a year, you put $200,000 more back in your pocket. This is a rip-off for the majority of Americans and should not see the light of day.

On top of that, TrumpCare creates Medicaid vouchers. We have been talking with colleagues about the change in Medicaid. What does that mean? Well, instead of being a healthcare plan that covers nursing home care, whether that is someone who needs very little care or someone who has Alzheimer's or other extensive needs, your mom and dad or grandmom and granddad would get a voucher, and if it didn't cover the care in the nursing home, as it does now, then your family would have to figure out a way to make up the difference. We could very possibly have the situation we had before the passage of the Affordable Care Act where a lot of folks were going bankrupt trying to figure out—you use the equity in your home, except because of what happened in the financial crisis, you may not have much equity in your home anymore. So you try to figure out, how do I make up the difference to help my mom or dad or granddad and grandmom in the nursing home? That will be a very common discussion, I would guess, if this passes. So turning Medicaid into a voucher system would cut nursing home care and healthcare for families.

Let me also say that when there is a healthcare emergency like we had in Flint, MI, with 100,000 people being poisoned with lead and over 9,000 children under the age of 6 with extensive lead poisoning, and we had the President and the past administration step in to help those children because of the health problems from the lead exposure, that would not be possible under this new regime. It will not be possible to step in when there is a healthcare emergency for children or for a community.

In Michigan today, 150,000 seniors depend on healthcare through Medicaid for long-term care. Three out of five seniors in nursing homes in my State—three out of every five seniors—count on Medicaid for their long-term care. This radically changes and dismantles that healthcare system. We have nearly 1.2 million children in Michigan and 380,000 people with disabilities who use this system.

So we have a situation where we would see a radically different

healthcare system for seniors and additional costs for seniors, which is why the AARP is calling this the senior tax. We would see children losing their healthcare. We would see insurance companies being put back in charge of decisions—decisions about whether women can get basic care and what, if any, kind of preexisting condition coverage happens. What I have seen is something that doesn't work and is going to put more costs back onto families.

There is mental healthcare and the ability to make sure that if you have a healthcare challenge, such as cancer or some other kind of challenge, your doctor is going to be able to treat you and give you all the care you need, not just a lump sum that the insurance company has decided that they are willing to spend. Then there is accountability as it relates to how much of your healthcare dollars that you spend goes into your medical care. There are a whole range of things that have been put in place so that you have more confidence that at least you are getting what you are paying for. Those things go away and insurance companies are put back in charge. They are given a big tax cut. The insurance company execs are given an opportunity for big increases in their pay, while everybody else is paying more.

So let me go back to where I started. TrumpCare, the bill being voted on in the House, is really a triple whammy for the people of Michigan: higher costs, less coverage, and more taxes. It makes no sense. I will strongly oppose it when it comes to the Senate. I am hopeful that we can put this aside, stop all of the politics about repeal, and have a thoughtful discussion about how we can work together to bring down costs and to be able to address concerns to make healthcare better, not take it away.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today in opposition to the nomination of Ms. Seema Verma to be Administrator of the Centers for Medicare and Medicaid Services, or CMS.

As a $1 trillion agency with oversight over Medicare, Medicaid, and the Children's Health Insurance Program, as well as State health insurance marketplaces, CMS is providing affordable health insurance to 100 million Americans, including nearly half a million Rhode Islanders.

Given the responsibility that this post entails of ensuring access to health care coverage for our most vulnerable citizens, coupled with a lack of commitment to fighting back against proposals by this administration and some of my colleagues on the other side of the aisle to dismantle these programs, I cannot support Ms. Verma's nomination to be CMS Administrator.

CMS is responsible for a key aspect of the Affordable Care Act—the health insurance marketplaces—which provide an avenue for all consumers to shop for the health insurance options that fit their needs and connect consumers with tax credits and subsidies that make the coverage affordable.

President Trump and his new Health and Human Services Secretary Tom Price are adamant about repealing the ACA and rolling back these benefits. In her confirmation hearing, Ms. Verma was asked multiple times to commit to protecting the ACA for the millions of Americans who were able to access coverage for the first time because of the law, but she would not do so. This, to me, is unacceptable.

CMS also works with States and other agencies at the Department of Health and Human Services to ensure that the plans offered on the exchanges are not only affordable but also provide real coverage for when it is most needed. I am concerned with Ms. Verma's beliefs about what health insurance coverage should look like.

During her confirmation hearing, she spoke at length about providing consumers more choices about their healthcare. Yet she opposes many of the protections the ACA provides for consumers. For example, she implied that she thought maternity care should be optional. It seems to me that for many families, they would be left with the choice to either pay for maternity care entirely out-of-pocket—all the while paying premiums and copays to the insurance company—or to go without care at all. I don't think these are the kinds of choices we should be imposing on families.

Turning my attention to Medicaid for a minute, I am deeply concerned about the Republican proposals to fundamentally change Medicaid and shift costs to States and to consumers. These proposals aren't new. Year after year, Republicans—often under the leadership of then-Congressman, now-HHS Secretary Tom Price—have proposed block-granting Medicaid, cutting the program by hundreds of billions of dollars. While Ms. Verma is not yet confirmed, she did express support in her confirmation hearing for this very concept—block-granting or capping Medicaid spending. Just this week, we saw a new version of this proposal, which simply delays cuts to Medicaid until 2020. In my opinion, this is just a veiled attempt to help gain support for the effort now and then turn around and decimate Medicaid in a few years.

In my home State of Rhode Island, nearly 300,000 Rhode Islanders access healthcare through Medicaid. That is about one-third of our population, roughly. That is a significant number for a small State like Rhode Island. Let's break down that number to see who would be impacted by these across-the-board cuts to Medicaid.

One out of four children in Rhode Island gets care from Medicaid and half of the births in the State are financed through Medicaid. One in two Rhode Islanders with disabilities are covered by Medicaid, and 60 percent of nursing home residents in the State get their care from Medicaid. Think about what would happen if this funding is cut—and that is the trajectory of the Republican proposals—States would have to decide, among these populations, who will get health care, children or the elderly in nursing homes, the disabled or other Medicaid recipients. If States try to make up the difference, that would result in cuts elsewhere, such as education and infrastructure. Indeed, given the demands for health care, given the tensions between seniors and nursing homes, and children needing care, the States will try their best to pull from other areas. What is the next biggest area of State expenditure? Education. Now you will have pressure on State education budgets. Higher education particularly will be pressured. All of this will be the ripple effect from these proposed cuts to Medicaid. And make no mistake, when Ms. Verma and my colleagues talk about converting Medicaid to a block grant program or capping spending, it is not about flexibility for the States, it is about reducing the Federal commitment to providing funding to the States.

Lastly, I am concerned about Ms. Verma's ability to safeguard Medicare for our seniors. Over 200,000 Rhode Islanders access care through Medicare, a benefit they have worked for and earned over their entire careers. I believe Medicare is essential to the quality of life for Rhode Island's seniors and for seniors across the country, and indeed for the children and families of these seniors. In fact, I supported the ACA because it made key improvements to Medicare that strengthened its long-term solvency and increased benefits, such as closing the prescription drug doughnut hole and eliminating cost-sharing for preventive services such as cancer screenings.

Over 15,000 Rhode Islanders saved $14 million on prescription drugs in 2015, an average of $912 per beneficiary. In the same year, over 92,000 Rhode Islanders took advantage of free preventive services, representing over 76 percent of the beneficiaries. Repealing the ACA means repealing these benefits for seniors and shortening the life of the Medicare trust fund by over a decade.

Unfortunately, Ms. Verma has little to no experience working with Medicare, and in her hearing and written responses to questions, she appeared to have very little to no familiarity with major aspects of Medicare. In her confirmation hearing and accompanying documents, she simply has not proven herself to be an effective advocate for protecting these earned benefits for our seniors.

We need an Administrator for CMS who will work to safeguard health care coverage for children, seniors, and people with disabilities, who will seek to strengthen Medicaid, Medicare, CHIP, and our entire healthcare system. For the reasons I have outlined, along with other reasons some of my colleagues have raised, Ms. Verma, in my opinion,

is not up to this task. As such, I will oppose the nomination and encourage my colleagues to do the same.

I yield the floor.

Mr. President, I request the ability to yield the remainder of my postcloture time to Senator WYDEN.

The PRESIDING OFFICER. The Senator has that right.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUMPCARE

Mr. WYDEN. Mr. President, here we are, with our colleagues on their way home, and I thought it would be helpful to take a minute and give an assessment of where the TrumpCare debate is at this point because we have seen the two major committees in the House act. Some $300 billion was slashed from safety net health programs, while insurance company executives making over $500,000 annually were given a juicy tax break as a bonus.

To put this into perspective, this tax break that the insurance companies' CEOs seem to have after two committees in the other body have acted on TrumpCare—the amount of the bonuses for the insurance company executives would be enough to cover the TrumpCare-created shortfall in Oregon's community-based services for the elderly and the disabled two or three times over.

What we are talking about is how hundreds of billions of dollars in tax breaks are going to the fortunate few and special interests, while some of the money is coming from stealing a chunk of those dollars from the Medicare trust fund. And this is very much intertwined with the nominee's work because she would be overseeing Medicare payments to rural hospitals in places like Louisiana and Oregon.

What I am going to turn to now is what TrumpCare, based on these two committees, means for rural areas. And, of course, it repeals the Medicaid expansion. It caps the Medicaid Program. In my own view, and I know the Senator from Louisiana knows a lot about healthcare, in rural communities—and most of our towns are under 10,000 in population. I am from southeast Portland. I love southeast Portland. The only regret is I didn't get to play for the Portland Trail Blazers. Most of the communities in our State are under 10,000 in population. As the Senator from Louisiana knows, we are talking about critical access facilities. We are talking about sole community hospitals. We are talking about the facilities that deal with acute care.

During the last major break over the President's holiday, I started what is going to be a yearlong effort for me, and I called it the rural healthcare listening tour. It is eye-popping to have those rural healthcare providers who in my State have worked so hard to find ways to get beyond turf and battles, to work together—the hospitals, the doctors, the community health centers, and the like. They have built an extraordinary effort that helps to wring more value out of scarce dollars. Their programs are based on quality, not on volume.

By the way, they are a huge source of economic growth and jobs for our rural communities. I spent the President's Day recess, and the next major recess as well getting out and listening to them. The verdict from Oregon's healthcare providers, who have worked very hard at being innovative, trying to make better use of what are called nontraditional services, said these kinds of cuts are not an option if you want to meet the needs of so many who have signed up as a result of the Medicaid expansion.

TrumpCare ends the Medicaid expansion, rolling back Federal matching funds in 2020. The rural hospitals in my State are frequently the only healthcare provider available for hundreds of miles. The Medicaid expansion helped these hospitals keep their doors open.

I don't think it is hard to calculate why the hospitals are speaking out against the flood approach of TrumpCare. They have a lot of facilities in rural areas that are already on tight margins. If these communities lose the ability to cover needy people, some of the essential hospitals—and I just described three types of them—are going to have to close, and the reality is going to be that patients aren't going to have any doctor anywhere nearby.

Understand, if the majority insists on ramrodding TrumpCare through—and at this point we have, I believe—staff just told me that there aren't any budget estimates. As of now, the Congressional Budget Office is tasked with providing accurate assessments of the budget implications. There are not any budget implications.

So here is the latest. It comes from media that I think is not considered by many Trump supporters to be a purveyor of fake news. This comes from FOX News. They said: Unknown in the new healthcare plan, unknown in TrumpCare—the cost. How many lose or gain insurance?

I am very pleased that my colleague from New Hampshire has come to join me because some of this, I would say to my friend from New Hampshire, leaves you incredulous because this comes from FOX News. FOX News is hardly a source for what many Trump supporters would consider fake news. FOX News is asking the question because they are saying it is unknown. It is unknown in the new healthcare plan, Senator SHAHEEN, according to FOX News. The cost is unknown, and how many lose or gain insurance is unknown.

I would say to my colleagues, because my friend from Louisiana has joined the Finance Committee, and I remember welcoming him and Senator MCCASKILL, our new members. My colleague from Louisiana is a physician and is very knowledgeable about these issues. I don't know how you have a real healthcare debate in America—and I have been working on this since I was director of the Gray Panthers at home back in the days when I had a full head of hair and rugged good looks. When we would start a debate, nobody would consider starting it without having an idea of costs or how many lose or gain insurance. How much more basic, I say to Senator SHAHEEN, does it get than that? Are these ''gotcha'' questions? Are these alternative facts? Are these people who are hostile to conservatives? I think not. FOX News—unknown in the new healthcare plan.

I have been outlining what this means in terms of the transfer of wealth from working families in New Hampshire and Oregon to the most fortunate in our country—people who make $250,000 or more. They are actually going to be the only people in America who get their Medicare tax cut. So you have this enormous transfer of wealth, what I call the reverse Robin Hood: taking from the working people and giving to the fortunate few.

After two committees have now acted in the other body—two committees have acted—FOX News says the big questions are outstanding. The Senator from New Hampshire knows a lot about rural healthcare. I was just outlining to my colleagues what this means for critical access hospitals, sole community hospitals, acute care facilities. These are the centerpieces of many rural communities, the essence of rural life. You can't have rural life without rural healthcare.

Here we are on Thursday afternoon—with many of our colleagues out there tackling jet exhaust fumes heading home—and the big questions, according to FOX News, are outstanding.

I am very pleased the Senator is here. As usual, she is very prompt and appreciated.

I look forward to her remarks.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, before my colleague from Oregon leaves, I want to ask him a question.

I am reminded, in 2009 and 2010, as we were working on the Affordable Care Act, that the HELP Committee held 14 bipartisan roundtables, 13 bipartisan hearings, 20 bipartisan walkthroughs on healthcare reform. The HELP Committee then considered nearly 300 amendments and accepted more than 160 Republican amendments, and the Finance Committee—where my colleague is the ranking member—held 17 roundtables, summits, and hearings on the topic. The Finance Committee also held 13 member meetings and walkthroughs, 38 meetings and negotiations, for a total of 53 meetings on

healthcare reform. During its process, the Finance Committee adopted 11 Republican amendments.

Don't you find it particularly ironic that we are seeing this TrumpCare legislation being pushed through on the House side—and what we are hearing, the rumors about what is going to happen in the Senate is it is not going to have any hearings and it is going to be brought to the floor and we are expected to vote on it without having a chance for the public to know what is in it.

Mr. WYDEN. My colleague is making a very important point. I think we all know the Senate budget process is a lot of complicated lingo. People in the coffee shops in New Hampshire and Oregon don't follow all the fine points of reconciliation.

As the Senator has just said, what they are using is a process that is known as reconciliation. That is the most partisan process you can come up with. There is no more partisan kind of process, and we were talking about the tally. As of this afternoon, two committees in the House have acted.

The Senator from New Hampshire just mentioned, I think, there were 11 Republican amendments in just one of the committees.

Mrs. SHAHEEN. Right.

Mr. WYDEN. As of this afternoon at 4, after hours and hours of debate, I am of the impression that not a single significant Democratic amendment has been adopted—so the Senator's point of highlighting the difference in the process, where we had all of the hearings and all of the opportunities that you have to have to get a good, bipartisan bill.

As my colleague knows, I don't take a backseat to anybody in terms of bipartisan approaches in healthcare. I have worked with Republicans—Chairman HATCH, chronic care. Senator BENNET and I worked on a bill with eight Democrats and eight Republicans. I appreciate your making this point.

As of this afternoon, as far as I can tell, no Democratic amendment has been adopted. You highlighted 11 Republican amendments getting adopted in just one committee. As we indicated, FOX News—not exactly hostile to some of the ideas being advanced by the majority—has certainly called them out on this.

Mrs. SHAHEEN. I appreciate the eloquent comments from the Senator from Oregon and all of his efforts to make sure we don't take away healthcare for so many people who desperately need it.

That is why I came to the floor today, because I spent the week we were back home—not last week but the week before—talking to constituents in New Hampshire and listening to what their concerns were.

What I heard was that people were deeply, deeply concerned and very upset by the efforts here to repeal the Affordable Care Act, when they didn't know what the replacement meant for them. In dozens of conversations and roundtable discussions at a townhall forum, Granite Staters shared stories of how the Affordable Care Act has been a lifeline for them. I heard from people who say their lives have been saved by the law.

In fact, we can see what is at risk in the State of New Hampshire, where we have almost 600,000 Granite Staters who have preexisting conditions. We have 118,000 people who could lose coverage. We have 50,000 Granite Staters with marketplace plans who are in the exchange, 42,000 who are enrolled in Medicaid, and 31,000 who have tax credits that lower the cost of healthcare for them. If that is taken away, so many of those people have no option for getting healthcare.

What we know now, after we have finally seen the plan Republican leaders are talking about, we know those fears were well founded that they were worried they were going to lose their healthcare. What we have seen is legislation to repeal the Affordable Care Act that would have catastrophic consequences not only for people in New Hampshire but for people across this country.

It is especially distressing that TrumpCare—as it has been introduced by the Republicans—would roll back expansion of the Medicaid Program, which has, in New Hampshire and across this country, been an indispensable tool in our efforts to combat the opioid epidemic. In addition, we are seeing, as the Senator from Oregon pointed out, that TrumpCare would terminate healthcare subsidies for the middle class and for other working Americans, and it would replace those subsidies with totally inadequate tax credits—as low as $2,000, which doesn't begin to pay for healthcare coverage for an individual, much less a family. This means as many as 20 million Americans could lose their healthcare coverage.

Even as the bill makes devastating cuts to the middle class, it gives the wealthiest Americans a new tax break worth several hundred thousand dollars per taxpayer. I think this proposed legislation is totally out of touch with the lives of millions of working Americans, people whose health and financial situation would be turned upside down by the bill.

Last week, in his response to President Trump's address to Congress, former Gov. Steve Beshear of Kentucky said something that really resonated with me. He reminded us that people who have access to healthcare thanks to ObamaCare are ''not aliens from some other planet.'' As he described, ''They are our friends and neighbors. . . . We sit on the bleachers with them on Friday night. We worship in the pews with them on Sunday morning. They're farmers, restaurant workers, part-time teachers, nurses' aides, construction workers, entrepreneurs,'' and often minimum wage workers. ''And before the Affordable Care Act, they woke up every morning and went to work, just hoping and praying they wouldn't get sick, because they knew they were just one bad diagnosis away from bankruptcy.''

To understand why people in New Hampshire are so upset and fearful about efforts to repeal the Affordable Care Act, we have to look again at this chart because some 120,000 Granite Staters could lose their health insurance. That is nearly 1 in every 10 people in the State of New Hampshire.

In particular, repeal of the Affordable Care Act would very literally have life-or-death consequences for thousands of people who are fighting opioid addiction, who have been able to access lifesaving treatment thanks to the expansion of Medicaid and the Affordable Care Act.

Sadly, one of the statistics we are not happy about in New Hampshire is that we have the second highest rate of per capita drug overdose deaths in the country. We trail only West Virginia. The chief medical examiner in New Hampshire projects that there were 470 drug-related deaths in 2016, including a sharp increase in overdose deaths among those who were 19 years old or younger. For a small State like New Hampshire, this is a tragedy of staggering proportions, affecting not just those who overdose but their families and entire communities.

I am happy to say, in the last couple of years, we made real progress in combating this epidemic because we had the Affordable Care Act and its expansion of Medicaid, which has given thousands of Granite Staters access to lifesaving treatment. Over the past year, I had a chance to visit treatment centers all across New Hampshire. I met with individuals who are struggling with substance use disorders and providers who are trying to make sure they get the treatment they need.

Last month, at a center in the Monadnock region of New Hampshire, I had an amazing private meeting with more than 30 people in recovery from substance use disorders. They are putting their lives back together, hoping to reclaim their jobs, to get back with their families, and they are able to do that largely because of treatment that is made possible by the Affordable Care Act.

One patient shared her story with me. As with so many others in treatment, her story is one of making mistakes, of falling into dependency, of struggling with all her might to escape her addiction. She is in recovery for the second time, and she said that this time for her is a life-or-death situation. She has no family support. She worries that she will be homeless when she leaves the treatment program, but she is grateful for the Affordable Care Act because it has given her one more shot at getting sober and the chance for a positive future.

At a forum in Manchester—New Hampshire's largest city—a courageous woman named Ashley Hurteau said

that access to healthcare as an enrollee in Medicaid expansion was critical to her addiction recovery. She had been arrested following the overdose death of her husband. Ashley said an understanding police officer and a drug court were key to her recovery. She added this:

I am living proof that, by giving individuals suffering with substance use disorder access to health insurance, we, as a society, are giving people like me the chance to be who we really are again.

Without that access to treatment, where would Ashley be?

Several weeks ago I received a letter from Nansie Feeny, who lives in Concord, the capital of New Hampshire. She told me the Affordable Care Act had saved her son's life. This is what she wrote:

[My son] Benjamin went to Keene State College with the same hopes and dreams many have when building their American dream. While there he tried heroin. Addiction overcame him but did not stop him from graduating. After graduation he suffered a long road of near death existence. After a couple of episodes where he had to be revived (fentanyl) he chose recovery. And it was due to ObamaCare that we were able to get him insured so he could get the proper help he needed and [into] a suboxone program that assisted him with staying ''clean.''

In April—

She wrote, and you could read between the lines how relieved she was—

it will be a year for Ben in his recovery. Without ObamaCare, this would not have been possible. . . . I can't find the words to define my gratitude to President Obama. I believe my son would not be alive today if it were not for this plan that provided the means he needed to get the help he needed at the time he needed it. Ben still has a long road ahead of him but I will see to it that he never walks it alone.

I also want to share a powerfully moving letter from Melissa Davis, an attorney in Plymouth, NH. Ms. Davis writes:

I am a lawyer who frequently works on behalf of clients who are suffering from substance use disorder, mental health conditions, or a combination of both. I have been working with these clients for over 10 years and I can tell you that access to health insurance has always been the biggest obstacle in obtaining quality and consistent treatment. Since passage of the Affordable Care Act and the expansion of Medicaid, my clients are actually able to access real treatment in ways they never were before. Before the ACA, there were far too many times where my clients were unable to afford private substance use disorder treatment, wait lists at community mental health agencies were extremely long, and AA and NA were not enough. Without treatment, these clients often ended up in jail or worse, dead. I still have clients who face obstacles to obtaining quality treatment, but the ability to get insurance removes a huge obstacle.

Ms. Davis concludes with this warning:

I am sincerely afraid for what will happen to my clients and my community if access to quality substance use disorder and mental health treatment is taken away from those people who need it most because they are unable to get insurance. Please do everything you can to save the ACA.

In dozens of visits to New Hampshire during the campaign, President Trump pledged aggressive action to combat the opioid crisis. In his address to Congress last week, he once again promised action to expand treatment and end the opioid crisis. But despite these bold words and big promises, the President's actions have sent a totally different signal. His actions threaten an abrupt retreat in the fight against the opioid epidemic.

By embracing the House Republican leadership's plan to repeal the Affordable Care Act, President Trump has broken his promise to the people of New Hampshire. This misguided bill would roll back the expansion of Medicaid, and it could terminate treatment for hundreds of thousands of people in New Hampshire and across America who are recovering from substance use disorders.

Meanwhile, the President's nominee to serve as Administrator of the Centers for Medicare and Medicaid Services, Seema Verma, has been an outspoken advocate of deep cuts to Federal funding for Medicaid. As we have seen with so many of the Trump administration nominees, Ms. Verma has an underlying hostility to the core mission of the agency that she has been asked to lead.

Seema Verma is currently a health policy consultant who has called for less Federal oversight of the Medicaid Program and advocated for policies expressly designed to discourage patients from seeking care—for instance, by imposing cost-sharing burdens on Medicaid recipients. In addition, she is a staunch advocate of block-granting Medicaid and turning it into a per capita cap system. Over time, this would lead to profound cuts to Medicaid, forcing States to raise eligibility requirements and terminate coverage for millions of recipients.

Let's be clear as to who these recipients are. In 2015, the 97 million Americans covered by Medicaid included 33 million children, 6 million seniors, and 10 million people with disabilities. Seniors, including nursing home costs, account for nearly half of all Medicaid expenditures.

These are some of the most vulnerable people in our society, and they will be the targets of Ms. Verma's determined efforts to cut funding for Medicaid and terminate coverage for millions of current recipients.

I also have deep concerns about this nominee's commitment to protecting women's healthcare. During her confirmation hearing in the Finance Committee, Ms. Verma was asked if women should get access to prenatal care and maternity coverage as afforded under the Affordable Care Act or whether insurance companies should get to choose whether to cover this for women.

Ms. Verma tried to clarify when she met with me that she hadn't really meant what she said. But what she said was that maternity coverage should be optional, that women should pay extra for it if they want it. Of course, the problem with this position is that it takes us backward to the days before the ACA, when only 12 percent of policies on the individual insurance market offered maternity coverage.

In the State of New Hampshire, before the Affordable Care Act, you could not buy an individual policy that covered maternity benefits. They were not written. Insurers who offered coverage charged exorbitant rates with high deductibles, plus benefit caps of only a few thousand dollars. This is a major reason why, before the Affordable Care Act, women were systematically charged more for health insurance than men. In the eyes of insurance companies, being a woman was seen as a preexisting condition, and they charged us more accordingly.

Well, the American people don't want drastic cuts to Medicaid, cuts that will threaten coverage for children, for seniors, for people with disabilities, and for those receiving treatment for substance use disorders. That is why I intend to vote against the confirmation of Seema Verma to head CMS.

In recent years, we have made impressive gains, securing health coverage for millions of Americans and significantly improving the health of the American people. I can't support a nominee who wants to reverse these gains.

In recent weeks, all of our offices have been flooded with calls, with emails, with letters opposing the Trump administration's plans to repeal ObamaCare and undermine both the Medicare and Medicaid Programs. We need to listen to these voices. We need to keep the Affordable Care Act and the expansion of Medicaid.

There are things we can do to make it better, and we should work together to do that. But we have heard from people loud and clear across this country. It is time now to respect their wishes, to come together to fix this landmark law, and to ensure that it works even better for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before my colleague from New Hampshire leaves, does she have a quick minute for a question?

Mrs. SHAHEEN. Absolutely.

TRUMPCARE

Mr. WYDEN. I thank her for her presentation. It was factual and very specific, and I think it really highlighted so many of the concerns that we have at this point.

I want to see if I could get this straight on the opioid issue. Here you all are in New Hampshire, right in the center of the Presidential campaign. All of the candidates are coming through, and they are practically trying to outdo each other in terms of their pledges to deal with this wrecking ball that is the opioid addiction that has swept through New Hampshire

and, of course, my own home State as well.

I remember then-Candidate Trump being particularly strong and assertive about how he was going to fight opioids.

I think what my colleague said—and I am curious, so I am going to ask a couple of questions because I don't think folks even in my home State are aware of some of these things. So I am going to ask my colleague about it.

Are folks in New Hampshire aware at this point—my colleague put up that Trump chart, showing how the people didn't know what was being cut and how much it was going to cost and all the rest. Are people in New Hampshire at this point aware of the fact that this is essentially after a campaign in their home State, which certainly put out a lot of TV commercials and campaign rhetoric in the fight on opioids?

I think my colleague said that when people unpack this, they are going to see that this is a major broken promise, that TrumpCare is a major broken promise on opioids because, in terms of the time sequence, they all had debates and commercials, then we finally got some money in order to have treatment.

And I think what my colleague said is that now, as a result of TrumpCare and the cap on Medicaid, there will not be the funds to get the treatment to people who are so needy. Is that what this is going to be about in New Hampshire?

Mrs. SHAHEEN. That is absolutely correct.

I remember meeting one young man early in the fall, in the middle of the campaign early last year. He came up to me in Manchester and said: I am so worried about what is going to happen in this election because I am in recovery; I am an addict. He said: I am worried that whoever gets elected is not going to continue to make sure that I can get the treatment I need. He said: I am worried about Mr. Trump.

As my colleague pointed out, Donald Trump, when he was campaigning in New Hampshire, made a lot of promises about how he was going to address the heroin and opioid epidemic, how he was going to make sure that people could get treatment, treatment at a cost they could afford.

Well, thanks to the Affordable Care Act and the expansion of Medicaid and the great work by our Republican legislature and our Democratic Governor—then-Governor HASSAN, who is now in the Senate—we passed a plan to make sure that people who had substance use disorders could get treatment.

Last year we had 48,000 applications submitted under the expansion of Medicaid for treatment of substance use disorders. If we pulled the plug on that Medicaid expansion so that people couldn't get that treatment, they wouldn't have anywhere to go.

That is what I heard when I was at Phoenix House in Dublin, in the western part of New Hampshire, a couple of weeks ago. I was sitting around with about 30 people in recovery, people who are hopeful for the first time in a long time because they are in treatment and they can see they can put their lives back together.

I said to them: What happens if we no longer have the Medicaid Program?

They said: We don't have any other options. We don't have treatment.

What we heard from President Trump is that he was going to introduce a healthcare plan that was going to cover more people for less money and better quality. Well, that is not what we are seeing.

The TrumpCare that was introduced in the House this week that they marked up and that is going to be coming to the Senate doesn't do that. It reduces coverage under the Medicaid Program. It would throw thousands of people off of their treatment for substance use disorders, and there is nowhere else for them to go.

This is not an acceptable plan. This does not do what the President promised he was going to do. It is not what he promised in New Hampshire, it is not what he promised in the campaign, and it is not what he has promised since he became President.

Mr. WYDEN. I think my colleague's point is well taken.

As we have been saying, this is very much intertwined with the Seema Verma nomination because what we learned in the committee is, in Indiana, where she touts her pioneering work, if somebody had an inability to pay for a short period of time, they would be locked out of the program. So in terms of Medicaid, this is going to cause a real hardship.

I had already outlined that it is going to cause a hardship in another program that is important to New Hampshire, and that is Medicare, because we are implementing what is called the MACRA, the new reimbursement system for doctors. We asked her questions about rural care, and she didn't know the answer either.

I particularly wanted my colleague to walk us through this situation with respect to how New Hampshire residents are going to see TrumpCare as it relates to opioid addiction after they have all these grandiose promises and the many debates and commercials.

I thought I would ask if my colleague has time for one other question.

In New Hampshire, as in Oregon, we have a lot of seniors. It looks to me as if somebody who is, say, 58 years old or 62 years old is just going to get hammered by what we call the age tax because in these bills, which are now moving like a freight train with the House already moving in two committees, Republicans want to give insurance companies a green light to charge older people five times as much as they charge younger people. So I cited a number of my small, rural counties—Grant County, Union County, Lake County—and how a 60-year-old who makes $30,000 a year can see their insurance costs, because of the age tax, go up something like $8,000 a year.

I don't have the numbers as of now—Finance staff is still working on that for every single State—but obviously that tax sure looks like it is going to hit somebody in New Hampshire, an older person, people before they are eligible for Medicare, and particularly in that 55-to-65 bracket. It looks like it is going to hit them very hard. How is that going to be received, because in my time in New Hampshire, we talked about it, and a lot of those people really are walking on economic tightropes. They are balancing their food bill against their fuel bill and their fuel bill against their rent bill. I know my colleague spends a lot of time trying to advocate for them, help them through small business approaches. How are they going to be able to absorb what is clearly going to be thousands of dollars in new out-of-pocket health costs?

Mrs. SHAHEEN. I think that is a huge problem. New Hampshire has a population that is one of the fastest aging in the country. As Senator WYDEN points out, not only does the TrumpCare legislation change how people on Medicare are charged for their health insurance, but it also would change the other aspects of the Affordable Care Act that have been beneficial, such as preventive care under Medicare.

It would also change the effort to close the doughnut hole—the cost of the prescription drugs that seniors buy. That has been a huge benefit to people in New Hampshire over the last few years because they are beginning to see their costs for prescription drugs affected positively. So it will have a huge impact on seniors in New Hampshire.

The other issue that will have an impact not only on seniors but on everybody is what will happen to our rural hospitals. In New Hampshire, because we have a lot of rural areas in the State, we have a lot of small towns. Most of our hospitals are small and rural. They have benefitted significantly under the Affordable Care Act because they have been able to get paid for people who come to the emergency room for treatment. We have gotten a lot of people out of emergency rooms and into primary care. Most hospitals have seen about a 40-percent decline in people using emergency rooms for their healthcare. That has been a huge, important benefit to our rural hospitals that are operating on very thin margins that we need to keep open, not just because of the healthcare they provide but because of the jobs they provide. In most of our small communities, those hospitals are among the biggest employers.

There are huge impacts if we repeal the Affordable Care Act and we put in place this TrumpCare policy that doesn't cover as many people. It is going to cost more, it is going to reduce the help people are getting

through their healthcare coverage, and it is going to have a detrimental impact on people in the State of New Hampshire and across this country.

Mr. WYDEN. I thank my colleague.

We have heard Republicans say repeatedly that anything they are going to do with Medicare is not going to hurt today's enrollees or people nearing retirement. The fact is, TrumpCare hurts both. It is going to shorten the life expectancy of the Medicare trust fund, and those older people—I will be curious, when my colleague returns—I will be very interested to hear what seniors in New Hampshire who are 56 to 68 and are walking on that economic tightrope are going to say.

I thank my colleague from New Hampshire for the excellent presentation.

Mrs. SHAHEEN. I thank the Senator, and thank the Senator for his fight to help as we try to prevent people across this country from losing their healthcare.

Mr. WYDEN. I thank my colleague, and we are going to prosecute this cause together.

I see that the chairman of the Finance Committee has arrived. He graciously said I could take another 5 minutes or so of our time.

Before we wrap up this part of our presentation, I want to point out that we have outlined how people who are dealing with the consequences of opioid addiction would be hurt by TrumpCare. We have outlined how seniors who are not yet eligible for Medicare are going to be hurt and how seniors who are now on Medicare are going to certainly be hurt by reducing access to nursing home benefits. Now I would like to wrap up by going to the other end of the age spectrum and talk for a moment about children.

Nearly half of Medicaid recipients are kids, and the program of the Republicans—now that we have two committees in effect out of chute with their proposals—restructures the program in the most arbitrary way, using these caps, shifting costs to States. And the reality is that Medicaid is a major source of help for children. There is early and periodic screening, diagnosis, and treatment benefits. But with reduced funding, the States are going to be forced to make difficult decisions about which benefits they can keep providing. States are going to be forced to reduce payments to providers, particularly for kids, providers such as pediatric specialists, and limit access to lifesaving specialty care.

My own sense is that this is shortsighted at best, and it is like throwing the evidence about children and their health needs in the trash can. Children receiving Medicaid benefits are more likely to perform better in school, miss fewer days of school, and pursue higher education.

Before I yield the floor to my good friend and colleague Chairman HATCH, I want to come back to what disturbs me the most about all of this. All of these dramatic changes to Medicare and Medicaid that strip seniors and some of our most vulnerable citizens are being made at the cost of hundreds of billions of dollars to these programs while, in effect, there is an enormous transfer of wealth given to the most fortunate in America in the two bills that were passed by the other body today in the committee. In effect, for example, people who make over $250,000 will not have to make the additional payments under the Medicare tax. If ever there were a group of people in America who doesn't need additional tax relief, it is those people.

As we wrap up this portion of the presentation, I want people to just think about looking at their paycheck. Every time you get a paycheck in America, there is a line for Medicare tax. Everybody pays it. It is particularly important right now because 10,000 people will be turning 65 every day for years and years to come.

What the tax provisions of this legislation mean—and they are part of hundreds of billions of dollars of tax cuts—for insurance executives making over $500,000 annually, there are yet additional juicy writeoffs, while seniors and those of modest means are going to bear the brunt of those reductions. Nothing illustrates it more than cutting the Medicare tax, colleagues.

I don't know how anyone can go home in any part of the country and say: You know, we are going to have to charge older people between 50 and 65 a lot more for their coverage, and by the way, insurance company executives making $500,000 a year are going to get more tax relief. I don't think it passes the smell test in America. It is reverse Robin Hood. There is no other way to describe it. It is transferring wealth from working families and those who are the most vulnerable. When working Americans see their paycheck and see the Medicare tax, I hope they remember that in this bill, the Medicare tax is reduced for only one group of people—people making more than $250,000 a year.

I want tax reform. The chairman of the Finance Committee knows that. I have introduced proposals to do that. But I don't know how we get tax reform when they are giving the relief to the people at the top of the economic ladder and it is coming out of the pockets of working people and working families. Everybody is going to be able to see it right on their paycheck, right there with the Medicare tax.

I think we will continue this debate, but on issue after issue, with the nominee on the floor, Ms. Verma, what she will do if confirmed is directly related to TrumpCare. For example, we told her in the committee that we wanted her to give one example—just one—of an idea to hold down pharmaceutical prices, which is something else that is important to older people.

TrumpCare, by the way, could have included proposals to try to help hold down the cost of medicine. Guess what, folks. On pharmaceutical prices, there is no there, there either. It doesn't do anything to help people.

This vote we will have on Tuesday is the first step in the discussion of how this particular nominee would handle the implementation of TrumpCare. Her job oversees Medicare payments to hospitals. It is really intertwined, this nomination and TrumpCare, and we couldn't get any responses to how she meets the needs of working families, as I just mentioned, with respect to pharmaceuticals, and we are pretty much in the dark with respect to how she would carry out her duties. As of now, we don't see how she is going to do much to try to eliminate some of the extraordinary harm that is going to be inflicted on the vulnerable and seniors on Medicare and Medicaid as a result of TrumpCare.

I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

REPUBLICAN HEALTHCARE BILL

Mr. HATCH. Mr. President, I rise today to speak once again on the so-called Affordable Care Act and the ongoing effort to repeal and replace. We all know the House of Representatives has produced a repeal and replace package, and both the Ways and Means and Energy and Commerce Committees have been marking it up. We don't know what it is right now. In other words, the endeavor to right the wrongs of ObamaCare is moving steadily forward on the other side of the Capitol, and soon it will be the Senate's turn to act. I commend my colleagues for introducing this legislation and moving it forward. This is an important step, and I don't think I am alone when I say that I am watching the progress in the House very carefully to see how things proceed and what the final House product will look like.

Of course, virtually all Republicans in Congress want to repeal and replace ObamaCare. We are in unison there. While there are some differences of opinion on how best to do that, there is generally unanimity on that point. I am confident that whatever differences exist among House Members will be worked out through the House's legislative process.

In addition, whatever passes in the House will be subject to the input and review of the Senate and to the rules of the budget reconciliation process. I want to note that I have heard from a number of Senators who have items they would like to see included when the bill comes before the Senate. I actually have several ideas of my own. However, there are limits as to what we can do under the budget reconciliation rule. Many of the proposed policy changes I have heard, although they have merit, would be banned by the rules and subject to the 60-vote threshold. That said, I am committed to working with my colleagues on both sides of the floor to ensure that the

Senate process on this bill is productive and that it yields a result we can support.

Long story short: This process is far from over. We have a lot more work to do. It is worth pointing out that the vast majority of the policies at play in this discussion and virtually all of the spending fall under the exclusive jurisdiction of the Senate Finance Committee, which I chair. Make no mistake. The Finance Committee is already hard at work and has been for some time. In many respects, I suppose you could say we have been working on this effort since the day ObamaCare was signed into law. However, for obvious reasons, our work has intensified over the past several months.

In working through this process, I have been in constant contact with Chairmen BRADY and WALDEN, who head up the relevant committees in the House. I have also been working closely with the Speaker's office, and I have been gathering input from Governors around the country. In addition, I have been working closely with the distinguished chairman of the Senate Budget Committee, Senator ENZI, who has the chief responsibility of navigating the budget process and shepherding a final repeal-and-replace bill through all the necessary rules and restrictions.

In all of those conversations, we have been talking about the process, and we have been talking about the timing. Most importantly, we have been talking about the substance of the healthcare reforms and how we can best serve the interests of the American people.

Throughout this effort, we have been reminded that Republicans currently control the White House and both Chambers in Congress due, in large part, to our stated commitment to repeal and replace ObamaCare, and we intend to deliver on that promise.

I would like to take a few minutes to talk about some of the policies we will need to tackle as we take up the House healthcare bill in the coming weeks.

Once again, the vast majority of the policies and virtually all of the spending involved in this effort fall under the Finance Committee's exclusive jurisdiction, and I intend to make sure all of my colleagues are well informed on the issues and that in the end whatever version of the bill we pass in the Senate reflects the collective will of a majority of Senators.

All told, there are five major policy areas that are addressed in the House bill that fall under the Finance Committee's purview.

First, there are the provisions to repeal the ObamaCare taxes. This is big. If one recalls, I came to the floor a few weeks ago and pointed out how misguided it would be, in my view, to start picking and sorting through the ObamaCare taxes to decide which to keep and which to leave in place. The House bill repeals them, along with the individual and employer mandates, both of which reside in the Tax Code. I have been working with Chairman BRADY on this issue. In the end, I believe the Senate version of the bill should do the same, and I am going to continue to push to ensure it does.

Second, there is the issue of premium tax credits. Chairman BRADY and I have been working extensively on this issue as well. The House bill replaces the ObamaCare premium subsidies with a refundable tax credit for the purpose of State-approved health insurance, limited to those who do not qualify for other governmental healthcare programs and who have not been offered insurance benefits from their employers. Most major ObamaCare replacement proposals that we have seen contain some version of health insurance tax credits. The House approach represents a significant improvement over the ObamaCare premium subsidies. The Senate, when it takes up the bill, will have to consider how best to implement the tax credits. I will continue to work with my House and Senate colleagues to ensure that the tax credits are designed to help those lower and middle-income Americans who are the most in need.

Third, there are the issues surrounding Medicaid. Chairman WALDEN and his predecessor, Chairman UPTON, and I have been working extensively on this matter. As we know, the vast majority of the newly insured people who the proponents of ObamaCare have cited as proof that the system is working have been covered by the expanded Medicaid Program.

The problem, of course, is that the Affordable Care Act did not do anything to improve Medicaid, which was already absurdly expensive for States, and ultimately unsustainable, not to mention the fact that it provides substandard healthcare coverage.

The House bill draws down the ObamaCare Medicaid expansion and makes a number of significant changes to the underlying program. Most notably, it establishes per capita caps on Federal Medicaid spending, which are intended to give States more flexibility and predictability while also controlling Federal outlays related to the program.

We have received substantial input on this matter from Governors around the country, and virtually all of them agree changes need to be made. Given these concerns and the sheer vastness of the Medicaid Program under ObamaCare, the Senate will have to tackle this issue when it takes up the budget reconciliation legislation in the next few weeks.

I am confident that in working with my colleagues in the House and Senate and with the Governors, we can find the right solution.

Fourth, there is the issue of savings accounts for healthcare costs. I have long been an advocate for the expanded use of HSAs and FSAs. Needless to say, I was particularly opposed to the ObamaCare provisions that limited the use of these savings accounts and essentially marginalized their usefulness for consumers and patients.

The House bill removes a number of restrictions on these accounts that have been imposed by ObamaCare, and it goes further to remove longstanding restrictions on HSAs in order to expand their use and give patients and consumers more options to pay for health expenses.

I am very supportive of this approach. In fact, the language from the House bill mirrors the legislation I introduced this year—the Health Savings Act of 2017.

Fifth, there are some important transition issues that need to be addressed.

To get at these issues, the House bill creates a Patient and State Stability Program, under the Social Security Act, that would distribute $100 billion to States over 10 years to enhance flexibility for States in how they manage healthcare for their high-risk and low-income populations.

For example, the funds could be used to, among other things, help individuals with cost-sharing. This program was proposed with the idea of giving States an expanded role in the healthcare system, a goal that is shared by most Republicans in Congress and something that almost all of the Governors have told us they want to see.

There are other issues from the House bill in the broader healthcare debate that will demand some attention when we consider the bill in the Senate. However, almost all of them fall under these general categories. Once again, the vast majority of them fall under the sole jurisdiction of the Senate Finance Committee, the primary committee.

There are other critical issues out there which do not involve the Tax Code, the Social Security Act, or Federal health programs. Yet they are extremely important.

The biggest mistake made by those who drafted ObamaCare and forced it through Congress was their failure to address healthcare costs in any meaningful way. After all, cost is the largest barrier preventing people from obtaining health insurance coverage, and the increasing healthcare costs are among the most prominent factors leading to wage stagnation for U.S. workers. Yet ObamaCare did little to address this problem, and in fact it has made things worse.

If we are going to fully keep our promises to the American people with regard to ObamaCare, we are going to have to eventually address these issues. After all, most people's negative interaction with the Affordable Care Act has come in the form of increased healthcare costs. If we are going to truly right all of ObamaCare's wrongs, we need to tackle the costs head on.

This will mean, among other things, fixing the draconian regulatory regime in our health insurance markets and giving individuals the ability to select only the coverage they want and need.

Many of these types of issues fall far outside of the Finance Committee's jurisdiction and are under the watchful eye of the distinguished chairman of the Senate HELP Committee.

The House bill also includes some provisions that are intended to address these concerns. I assume our distinguished colleague running the HELP Committee is working tirelessly to address the issues, and others, both through the reconciliation exercise or some alternative means.

Ultimately, if our goal is to place the healthcare system in a better position than it has been under ObamaCare, costs will have to factor heavily into the equation. I am looking forward to receiving guidance and leadership on the HELP Committee on these important market reform issues.

Overall, I believe we can and will be successful in this endeavor to fix our broken healthcare system. The American people are counting on us to do so. At the end of the day, success in that endeavor is, in my view, going to require a robust Senate process that allows this Chamber to work its will.

We have two Chambers in Congress for a reason. The House reconciliation bill needs 218 votes to pass. The Senate will also have to act when we receive the bill, and we will need to produce a package that can get at least 51 votes in this Chamber and hopefully more. That may mean some differences between the Senate and the House versions of the bill, but that is not problematic in my view. It is not particularly novel or unusual for different views and ideas to be resolved through the legislative process rather than simply dissipating when a bill is introduced. It seems to me that is not novel, and I am not the only one who has this view.

Earlier this week, Secretary Price sent a letter to the chairmen of the House Ways and Means and Energy and Commerce Committees. The letter commended the chairmen for their work and praised the legislation they unveiled to repeal and replace ObamaCare.

The Secretary also noted that this was not the end of the process but that the introduction of the House bill was a ''necessary and important first step'' and that the administration anticipated that the Congress would be ''making necessary technical and appropriate changes'' to get a final bill to the President that he can sign, which reminds us of the other important advocate in this endeavor. President Trump ultimately needs to support the bill that is passed by each Chamber of Congress, and his support for our efforts is paramount.

While, at this point, it may not be entirely clear what the final bill will look like, we do know two things for certain. First, we know that ObamaCare is not working. As the majority leader said yesterday, ObamaCare is a direct attack on the American middle class. Thanks to skyrocketing premiums, shrinking options in the health insurance market, burdensome mandates, and harmful taxes, millions of Americans are dealing with the failures of ObamaCare on a daily basis. We need to act now to fix these problems.

Second, we know that by introducing its bill and moving it through the legislative process, the House has taken significant steps in advancing this effort, and the leaders in the House should be commended for doing so.

Long story short, I have nothing but praise for the leaders in the House this week for the work they have done on these issues. Remember, this is just the beginning. I look forward to working with my colleagues in both Chambers to get this over the finish line so the Republicans can collectively make good on our promises with regard to ObamaCare.

NOMINATION OF NEIL GORSUCH

Mr. President, I rise to speak on the nomination of Neil Gorsuch to the U.S. Supreme Court.

Later this month, Judge Gorsuch will come before the Senate Judiciary Committee for his confirmation hearing. I wish to speak today on what we can and should expect to happen during that hearing.

First, some background. This will be the 14th Supreme Court confirmation hearing I have participated in. I have seen some truly outstanding hearings in which both the nominee and the Senators acquitted themselves well. I have also seen some hearings that have gone far off the rails, in which some Senators hurled unfounded allegations or sought to twist the nominee's clearly distinguished record. I am hopeful Judge Gorsuch's hearing will be the former type.

We have before us a supremely qualified, highly respected, and extremely thoughtful nominee. Judge Gorsuch has had a stellar legal career, and by all accounts, he is a man of tremendous integrity, kindness, and respect. He is the sort of person all Americans should want on the Supreme Court. He does not approach cases with preconceived outcomes in mind. He seeks to apply the law fairly and impartially in line with what the democratically elected representatives who enacted the law had in mind. He will be a truly outstanding Justice.

Judge Gorsuch's hearing will focus on his background, his temperament, and his approach to judging. So let's talk a little about what we know about Judge Gorsuch. We know he has an outstanding academic record. He graduated from Columbia University and Harvard Law School and obtained a doctor of philosophy in law from Oxford University. We know he had a highly successful legal career before becoming a judge.

He clerked for two Supreme Court Justices before entering private practice here in Washington. He made partner in only 2 years, which shows how highly his colleagues at the firm thought of him and his work.

Following a decade in private practice, Judge Gorsuch was appointed Principal Deputy Associate Attorney General at the Department of Justice, where he oversaw the Department's antitrust, civil, and environmental tax units.

In 2006, President Bush nominated Judge Gorsuch to the U.S. Court of Appeals for the Tenth circuit—the circuit in which I reside. The Senate confirmed Judge Gorsuch unanimously by voice vote a short 2 months later. At Judge Gorsuch's investiture, then-Senator Ken Salazar, who later served as President Obama's Interior Secretary, praised Judge Gorsuch's ''sense of fairness and impartiality.'' That fairness and impartiality, which was evident to my colleagues even then, was a large reason why Judge Gorsuch won confirmation without a single dissenting vote.

Judge Gorsuch's hearing will also affect us on his temperament and approach to judging. No one can seriously doubt that Judge Gorsuch has an excellent judicial temperament. A recent article in Slate—no rightwing paper, by any means—described the judge as ''thoughtful and fair-minded, principled, and consistent.''

The Denver Post, which twice endorsed President Obama for President and endorsed Hillary Clinton in this past election, also recently endorsed Judge Gorsuch's nomination, saying: ''From his bench in the U.S. Tenth Circuit Court of Appeals, he has applied the law fairly and consistently.''

Clearly, Judge Gorsuch has the right temperament to serve on the Supreme Court.

His approach to judging is also spot-on. Judge Gorsuch's opinions show that he is not only an excellent writer but also that he understands the proper role of a judge in our constitutional system. He consistently explains his reasoning by reference to fundamental constitutional principles. He does not seek to push the law toward the outcomes he favors but instead tries to apply it in harmony with the understanding of those who wrote and passed it. In so doing, he shows a healthy respect for the legislative process and for the democratically elected branches of government.

As Judge Gorsuch said in a speech shortly after Justice Scalia's passing, ''Judges should be in the business of declaring what the law is, using traditional tools of interpretation, rather than pronouncing the law as they might wish it to be in light of their own political views.''

Judge Gorsuch's opinions demonstrate that he understands fundamentally the importance of this principle and that he seeks faithfully to apply it in his own judging.

Against this impressive list of qualifications, Democrats and their liberal allies strain mightily to find plausible grounds to oppose Judge Gorsuch's nomination. They misread his opinions, misstate his reasoning, and in

general paint a picture of a man who simply does not exist. We can expect more of this at his confirmation hearing. In particular, we can expect to be raised again and again the risible and flatly false claim that Judge Gorsuch is outside the ''judicial mainstream.'' These arguments against Judge Gorsuch are not persuasive—not even close. We see hints of them in the various letters liberal interest groups have sent Congress claiming that Judge Gorsuch is a threat to the Republic—a danger to our very way of life. The over-the-top language these groups use only serves to highlight the weakness of their case against Judge Gorsuch.

One such letter called the judge ''an ultra-conservative jurist who will undermine our basic freedoms and threaten the independence of the Federal judiciary.'' The letter goes on to say that there is ''zero evidence that Judge Gorsuch will be an independent check on this runaway and dangerous administration.''

As an initial matter, I would ask: If Judge Gorsuch is such an existential threat to the Republic, where were all these groups 10 years ago when he won confirmation to the Tenth Circuit unanimously? Did Judge Gorsuch spend the first 40 years of his life hiding what a monster he is, revealing his true self only once safely ensconced on the Federal bench?

The outlandishness of these claims against Judge Gorsuch is made clear by the support he has received from prominent liberals, including President Obama's own Solicitor General, Neal Katyal. In an op-ed published in the New York Times, Neal Katyal praised Judge Gorsuch's fairness and decency and said that he had no doubt that, if confirmed, Judge Gorsuch would ''help to restore confidence in the rule of law.'' Katyal further wrote that Judge Gorsuch's record as a judge reveals a commitment to judicial independence, a record that should ''give the American people confidence that he will not compromise principle to favor the President who appointed him.''

It bears mention here that Mr. Katyal is no shrinking violet when it comes to standing up to the executive branch. He rose to prominence in the legal community through his work representing Guantanamo detainees. So when he says Judge Gorsuch will not shy away from holding Federal officials to account, frankly, his words carry weight.

Then there is the phrase we are likely to hear invoked again and again at Judge Gorsuch's hearing and beyond: ''judicial mainstream.'' Liberals will tie themselves in knots claiming that Judge Gorsuch is some sort of fringe jurist, that his views place him on the far flank of the Federal judiciary. Any honest observer will tell you that these claims are complete bunk. President Obama's Solicitor General and liberal publications like Slate would not offer praise for Judge Gorsuch if he were some kind of a nut.

In reality, the claims that Judge Gorsuch is outside the mainstream boil down to three things: a willful misreading of his decisions, a disingenuous attempt to redefine what it means to be mainstream, and an inability to count. On the misreading point, opponents of Judge Gorsuch claim that his decisions say things that they very clearly do not say or stand for propositions that even a generous reading cannot substantiate. They say he favors large corporations over employees, when really he just believes Federal employment laws mean what they say. They say he opposes contraception and family planning, when really he just believes religious liberty statutes should be enforced.

Judge Gorsuch's opponents also cite as examples of his purported extremism decisions that liberal Democratic appointees joined or that a majority of his colleagues agreed with. They will take a case in which more than half—or sometimes all—of the judges who heard the case agree with Judge Gorsuch and say the decision was outside the mainstream. I don't know about my colleagues, but I always thought that being in the mainstream had something to do with being somewhere in the vicinity of your peers or colleagues on a given issue. But, apparently, that is not what the left means.

Rather, in their failing campaign against Judge Gorsuch, liberals have redefined ''mainstream'' to really mean nothing at all. It has become a code word for liberal, for the sorts of results that liberals would like to see. But being in the mainstream and being liberal are not the same thing, despite Democrats' fondest desires. There is such a thing as diversity of thought, which the left used to venerate, at least until the confirmation wars and the rise of the conformity cult on college campuses.

So to my colleagues—and to the American people—I say: Do not be deceived when liberals say that Judge Gorsuch is outside the mainstream. He understands that the proper role of a judge in our constitutional system is to interpret the laws in accordance with the understanding of those who wrote and ratified those laws. This approach to judging leaves lawmaking power to the people's elected representatives and confines the judge's role to implementing the policy choices selected by those representatives. It is an approach consistent with our Constitution, our core values, and democracy itself.

It may be at times that this approach yields results that liberals don't like, but that doesn't place it outside the mainstream. It cannot be the case that the test of whether a judge is in the mainstream is whether that judge reaches consistently liberal results. When the people's elected representatives enact into law a conservative policy, a judge faithfully applying that law may well reach a conservative result. The opposite is true when the people's elected representatives enact into law a liberal policy.

All of this is to say that we cannot judge a nominee solely on the basis of whether we like the results he or she reaches. As Justice Scalia famously said:

> If you're going to be a good and faithful judge, you have to resign yourself to the fact that you are not always going to like the conclusions you reach. If you like them all the time, you are probably doing something wrong.

That is an interesting statement by one of the great judges, whom Judge Gorsuch will replace.

Liberals want judges who will always reach liberal results, but that is not the role of the judge. It is the role of a legislator, and a judge is certainly not a legislator.

So when you hear liberals say Judge Gorsuch is outside the mainstream, recognize that they are talking about results—specifically, liberal results—and recognize that that is not the proper inquiry for a Supreme Court confirmation hearing.

A Supreme Court confirmation hearing should be about the nominee, the nominee's experience, and whether the nominee understands his or her properly constrained role as a judge under our Constitution. On all of these metrics, Judge Gorsuch is off-the-charts qualified.

When the good judge comes before the Judiciary Committee, listen to the answers he gives. Ask yourself whether what he says is consistent with the separation of powers and the system the Framers designed. Compare his measured demeanor and thoughtful responses to the histrionics you see from his opponents on the left.

I have full confidence that when the hearing is over and the last question has been asked, Judge Gorsuch will have shown the Senate that he is unquestionably qualified and fully prepared to serve our Nation on the Supreme Court.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Delaware.

Mr. CARPER. Mr. President, it is good to be with my colleagues and the chair of the Senate Finance Committee. I am pleased to say a few words about the President's nominee, Seema Verma, who, if confirmed, will lead us at the Centers for Medicare and Medicaid Services. She is from Indiana, and folks I know in Indiana have said that she knows a lot about Medicaid, but not nearly so much about Medicare, which is a cause for some concern.

If confirmed, let me just say we certainly look forward to working with her and with the team she will have around her in that responsibility. It is a very tough job, as the Presiding Officer knows.

HEALTHCARE

What I would really like to focus on is that I want to go back in time, if I could. I want to go back to 1993. I am

not sure what the Presiding Officer was doing in 1993, but I was a brand-new Governor in 1993. We had a brand-new President and a brand-new First Lady. She was asked—I presume by her husband, or maybe she just decided on her own—to try to do what Presidents had talked about doing for a long time; that is, to try to make sure that everybody in our country had healthcare coverage. Her name was Clinton, and what she came up with, in consultation with a lot of folks, was something that was called HillaryCare—not always as a compliment, but sometimes, in some cases, derisively. I think our Republican friends, who were somewhat pointed in their criticism of it, were basically asked: Well, where is your idea?

In 1993, a guy named John Chafee, whom the Presiding Officer knows—we served with his son Lincoln in the Senate, and Lincoln went on to be Governor of Rhode Island—took up the challenge, along with at least 20 other Senators—I think mostly Republican and a couple of Democrats—and they offered legislation in 1993 that was the Republican alternative to HillaryCare.

At the end of the day, HillaryCare did not survive, as we know, and the Chafee proposal from that time essentially went away in that particular Congress. What he had proposed had five major concepts to it. One of those was the idea that folks who didn't have healthcare coverage should be able to get their coverage in their own State—unless they were very wealthy—and to be able to get coverage in a large group plan. They called them exchanges or marketplaces, which would be established in each State. If that sounds familiar, it should.

They also said that folks who were going to get their coverage who didn't have coverage for healthcare in these 50 States would get some help in buying down the cost of their healthcare, and they would get that by the adoption of a sliding-scale tax credit which would buy down the cost of premiums for low-income people. The lower their income, the bigger the tax credit was; the higher the income, the lower the tax credit. And finally, it phased down.

There were concerns raised by insurance companies that it would be hard to insure folks who were going to be getting healthcare coverage on these exchanges in each of these States because a lot of these people hadn't had healthcare in a long time. There was an expectation that they would have a high demand for healthcare, they would need a lot of healthcare, and they would be a hard group to insure because their need for healthcare was very large. The insurance companies were fearful that the group of people in each of the States they would be asked to insure on the exchanges would not be insurable—not in the way in which the insurance companies could break even or make money.

This idea came along. Just to insure that we have a good mix of healthy and maybe not-so-healthy people in the exchanges to insure in each of the States, Senator Chafee and these folks came up with the idea that people would be mandated to get coverage in the States—everybody. You can't make people get coverage, but under the Chafee plan, for folks who didn't, they would have to pay a fine, and the fine, over time, would go up and become stiffer. So finally, people might say: Well, I am paying all this money for no healthcare coverage. Maybe I ought to get coverage and stop having to pay this fine. At least I would have something for my money.

The two other things in the original legislation from Senator Chafee and company were something called an employer mandate, the idea that employers were mandated to provide coverage. At least employers with a minimum number of employees would have to provide coverage—to provide a large group plan within their business or within their employment. That was the employer mandate in the Chafee proposal.

The other thing that was in Chafee, as I recall, was something like a provision that said to insurance companies: You can't just stop providing coverage for people because they have a preexisting condition; you have to insure people.

So those are the five major precipes: No. 1, creating exchanges in every State or marketplaces for people to get their coverage; No. 2, sliding-scale tax credits to help drive down the costs for low-income people for their coverage in their States; No. 3, individual mandates, or trying to make sure the mix of people insured was actually insurable, without the insurance companies losing an arm and a leg; No. 4, employer mandates that employers of a certain size have to provide coverage for their employees; and, finally, the idea of knocking people off coverage because of preexisting conditions was a no-no.

As we know, HillaryCare was not adopted, and neither was the Chafee plan. But it turned out the Chafee plan had legs, as they say in show business. It means it actually lasted beyond just being a bill introduced in the Senate in 1993.

It surfaced in Massachusetts about 10 years later, thanks to Governor Mitt Romney, who was thinking about running for President. Some of the people advising him said: You know, Governor, you could probably help your chances of running for President if Massachusetts could be the first State to have universal healthcare coverage for its residents. That sounded pretty enticing.

He said: How do we do this?

They looked up the Chafee bill. They apparently knew about it, thought about it, and said: Let's take the Chafee proposal and do that in Massachusetts.

That is what they did. Guess what. They found that they did a pretty good job in terms of covering more people on the coverage side. It worked pretty well. Where it didn't work very well was on the affordability side. As we might imagine, there were the young invincibles—like some of these pages we have down here and their older brothers and sisters who maybe say: I don't need healthcare coverage. I am young and invincible. I will never get sick and go to the hospital.

They had a sliding scale. They had an individual mandate, but they had a fine people had to pay over time. Eventually, as more years went by, the young and healthy people said: I might as well get coverage. It helped provide for a better mix of folks in the exchange to provide insurance for. So they did a better job on the cost and, after a while, affordability.

When we went to work in the beginning of the Obama administration in 2009 on the Affordable Care Act, some people think Democrats just sat down in our caucus and just rolled out a plan and said: This is what we are going to do to provide healthcare coverage to people. That is not what we did. We spent a lot of time trying to figure out what we should do. We had, I want to say, dozens of hearings in the open, in public, on the Finance Committee. I am sure they had other hearings in the Health, Education, Labor, and Pensions Committee, which shares jurisdiction with Finance on this subject. We had dozens of hearings. We actually had the head of the Congressional Budget Office come and testify.

We had a pretty good idea of what it would cost. We had a pretty good idea of what impact it would have on the Medicare trust fund. It turned out that the adoption of the Affordable Care Act extended the life of the Medicare trust fund by, I think, 12 years. It actually brought down the Federal budget deficit over the next 10 years by quite a sizeable amount, and over the 10 years after that by even more. The idea was to provide coverage for a lot of people who wouldn't have it—actually, using the Chafee plan.

I think it is really ironic, sometimes almost humorous, when my Republican friends—and they are my friends—attack the Affordable Care Act. The piece that they attack is, I like to say, their stuff. They are the Chafee-Romney ideas.

I studied economics at Ohio State and studied some more in business school after the Vietnam war. I like market approaches to problems. So I find real virtue and interest in what Chafee came up with and what Romney put to work. Romney provided kind of a laboratory in Massachusetts to see how that idea would work—maybe not on a national scale but at least on a statewide scale, with a lot of people involved.

I am troubled by where we find ourselves today. During Presidential campaigns, I know people say things in campaigns that maybe they don't mean

or maybe they exaggerate or something like that. But I think the campaign might have been over and Donald Trump had been elected President. He promised, I believe shortly thereafter, that his plan to repeal and replace the Affordable Care Act would lower the cost of health insurance, while providing better coverage for everyone. That is what he said. His plan to repeal and replace the Affordable Care Act would lower the cost of health insurance, while providing better coverage for everyone.

I realize that the ink is barely dry on what the two House committees—the Ways and Means Committee and the Energy and Commerce Committee—have been working on. As best we can tell at this point in time, the bill they reported out of the committees—and I presume they are going to vote in the full House pretty soon, if they haven't already—but the House Republican bill to repeal the Affordable Care Act does just the opposite of what Donald Trump called for. It does not lower the cost of health insurance, as best we can tell, and it doesn't provide better coverage for everyone. The House Republican bill to repeal the ACA does nothing to slow down the growth of healthcare costs.

One of the great virtues of the Affordable Care Act is the focus on value. How do we get better results, better healthcare outcomes, for less money? If we go back to where we were 8 years ago and compare how much we were spending in this country for healthcare as a percentage of gross domestic product, we were spending 18 percent. One of our major competitors in the world—a major ally but a major competitor—is Japan. In 2009, while we were spending 18 percent of GDP, Japan was spending 8 percent—less than half as much, 8 percent of GDP. They got better results, and they covered everybody.

So as we were approaching the debate and eventually the markup on voting on the Affordable Care Act, we had this in the back of our mind. We looked around the world to see what seemed to be working to get better results for less money, and we looked at Massachusetts to see how that was working and what we could learn from what they called RomneyCare up there.

But the House Republican bill to repeal the ACA does, as best we can tell at this point in time, very little—maybe nothing—to slow the growth of healthcare costs, and that is a shame. Apparently, fewer people will be insured. I think Standard & Poor's estimates as many as 10 million people could lose coverage under the House Republican plan. Insurance markets will destabilize faster. I mentioned earlier that a great concern insurance companies had is that they would end up in each or in a number of States with a pool of people to insure in the exchanges that were uninsurable—the elderly, maybe the sick, people who hadn't gotten healthcare for a long time. It is hard to insure that group and stay in business if you are a health insurance company. There was a concern about destabilization and instability within the markets for health insurance.

The individual mandate is replaced by something called the continuous coverage requirement. I would like to think it is going to work. I am not sure it would. But under this, I understand that people who go without a health insurance plan for more than 2 months will be charged a 30-percent surcharge when they are able to get back on and reenroll. People with expensive healthcare conditions will be willing to pay a penalty. But how about healthier people who often chose to stay out of the health insurance markets?

Also, as best we understand, in the House Republican plan, health insurance plans will become less robust, and many Americans will only be able to afford rather skimpy insurance plans. Preliminary estimates of the House GOP plan shows that insurance costs for the average person would increase by roughly $1,500. By 2020, the average person would pay $2,400 more.

I had the privilege of representing Delaware as Governor. One of the things I was responsible for in the treasurer's office was administering fringe benefits for State employees and teachers and a lot of folks. So this is something I have thought about over the years—about healthcare coverage for people.

We have only three counties—unlike Missouri, where the Presiding Officer is from, which has probably hundreds of counties—maybe not that many. But we only have three. In our southernmost county, Sussex County, we have a lot of chickens, a lot of corn, and a lot of soybeans. We have five-star beaches. A number of people like to come to Delaware to retire. We have no sales tax. We have very low property taxes in Sussex County. And for people who are not making a ton of money, we have pretty low personal income tax.

Take the example of a 60-year-old Delawarean in Sussex County who makes $30,000 a year. Under the Affordable Care Act, they get a tax credit. I mentioned earlier a sliding-scale tax credit. If you are lower income, it is a bigger tax credit. If you are a higher income, it finally fades out when your income goes up to a certain level. But for somebody making $30,000 a year in Sussex County, under the current law—the Affordable Care Act—the tax credit in 2020 will be about $10,000 to help buy down the cost of their coverage.

As I understand it, under the GOP health plan, for their comparable tax credit for the same person in Sussex County—which, quite frankly, has a lot of people 60, 65, 70 years old who make this amount of money down there; a lot are retired or semi-retired—the tax credit in 2020 would be $4,000. That is about $6,200 less. If you happen to be this person, you may want to think twice about which of these two paths you want to take.

We have another chart here that might be helpful. This is something we got from AARP. When we are passing legislation or drafting legislation or debating legislation, we are always interested in what key stakeholders feel. AARP is a big stakeholder. They represent a lot of people 50 and older. We are interested in hearing from folks who represent seniors. AARP represents the views of a lot—not all. We are interested in the views of those like doctors, the American Medical Association, nurses, providers. We are interested in hearing from hospitals. As it turns out—again, while the ink is barely dry on what is coming out of the House of Representatives—AARP tells us they are not very excited. Well, maybe they are excited about it, but not in a good way.

They say the change in structure will dramatically increase premiums for older consumers. That is what we have seen from the previous chart. In their example, AARP tells us about a 64-year-old person who is earning about $15,000. Their premiums go up $8,400. They are making $15,000 a year. I don't know how they pay for much of anything else with that kind of increase in their premium costs. That is a concern for me and certainly a concern for the folks at AARP and the people they represent, the millions of people they represent.

TrumpCare. The House has come up with different names. Some call it ObamaCare light, ObamaCare 2.0 or .5. Some people call it TrumpCare. The House is working on it. The concern we are hearing from a lot of folks is that it forces women to pay more for basic care.

Let's go back to the care for women. My wife and I have been married 31 years. I don't know everything about healthcare needs for women, but I do know this. A lot of women I have known—including my own family, my sister, my mom, and my wife's family—their primary healthcare provider is their OB/GYN. I didn't know that for a long time—not for everybody, but for a lot of people that is who their primary care provider is. For millions of women, surprisingly, their primary healthcare provider happens to be an OB/GYN or healthcare provider who works at Planned Parenthood.

For some people, Planned Parenthood is synonymous with abortions, but I think a very small percentage of what they do relates to abortions. What they do, for the most part, is try to make sure women get the healthcare they need, a lot of times in the OB–GYN realm but also in terms of contraception.

Somebody told me the other day that the cost of contraception for a woman in a year could be as much as $1,000. It is not cheap. The cost of a single delivery of a child from an unplanned pregnancy that is paid for by Medicaid is over $10,000, if I am not mistaken.

A lot of times, as we know, especially if a young person brings a baby into

the world, maybe doesn't finish high school or whatever, the outcome can be not that good for that child. I heard Mary Wright Edelman of the Children's Defense Fund say these words. If a 16-year-old girl becomes pregnant, does not graduate from high school, does not marry the father of her child, there is an 80-percent likelihood they will live in poverty. The same 16-year-old girl who does not have a baby, finishes high school, graduates, waits until at least 21 to have a child, marries the father of the child, there is an 8-percent likelihood they will live in poverty. Think about that.

That suggests to me that we should—particularly for young people and those not so young who are sexually active—we want to make sure that when they are ready to bring a child into the world they can do that, a healthy child, a child with a lot of promise in their life.

For those who aren't prepared to bring that child, raise that child, prepare that child for success, contraception is needed. One of the things the Affordable Care Act does is provide access for that contraception. I am fearful the plan in the House of Representatives, however well-intentioned, will take away that opportunity for a lot of women and frankly for their children.

We have other people who have arrived on the floor. I want to be mindful of their time.

I don't know if we have another chart to look at before I yield.

We have all heard of double whammy. This has been described as TrumpCare, ObamaCare light, whatever you want to call it. It has a triple whammy. One of those is higher costs, a second is less coverage, And for some people, particularly low- and middle-income folks, more taxes. For certain people whose income is over one-quarter million dollars, they get a tax break. It adds up to quite a bit for somebody who makes a lot of money, but this is not the kind of triple whammy we ought to be supporting.

When the bill gets over here, if it gets out of the House, we will have a chance to slow down and hopefully do hearings in the light of day and bring in the folks from CBO, ask them to score this, let us know what is the real impact of what is being proposed in the House. Does it really save money? Does it do what President-Elect Trump said he wanted to do, which is make sure everybody gets coverage and be less expensive. Does it really do that? And we need to find out what the impact is on taxpayers. Is this the holy grail of better results for less money or is this something altogether different?

The Presiding Officer, from Missouri, is somebody who is pretty good at working across the aisle. I would like to think I am too. We have worked together on a number of issues. When you are working on something that is this big and this complex and has this kind of impact on our country, we are always better off if we can somehow fashion a bipartisan compromise and something that would have bipartisan support.

We tried to do that in the Affordable Care Act. I know my Republican friends feel we didn't, but I was there. I know we tried. In fact, the evidence that we tried was literally the foundation for what we do for the Affordable Care Act, a Republican proposal from Senator Chafee and 20 other Republicans, including ORRIN HATCH and including CHUCK GRASSLEY from Iowa. I think that was a pretty good effort.

If this bill makes its way over here, we need to have at least a strong effort, maybe a better effort, maybe a more successful effort in the end.

If we are not going to repeal the Affordable Care Act, actually find a way to repair it and make it better, there are things we can do. I know I can think of some—I know the Presiding Officer can as well—that would move us closer to better coverage at a more affordable price.

The last thing I would say is this. I have a Bible study group that meets here on Thursdays with Barry Black, who opens our session with a prayer every day that we are in session. We also have his Bible study group that meets for about a half an hour, 45 minutes in the Capitol—Democrats and Republicans. We pray together, share things together. I describe it as the seven or eight of us who need the most help.

He is always reminding us of our obligation to the least of these. There is a passage of Scripture in Matthew 25 that a lot of us have heard of, and I am sure you have heard this in Missouri too. It says: When I was hungry, did you feed me? When I was naked, did you clothe me? When I was thirsty, did you get me to drink? When I was sick and imprisoned, did you visit me? When I was a stranger in your land, did you take me in?

It doesn't say anything about when I didn't have any healthcare coverage and my only access to healthcare was an emergency room to a hospital. It doesn't say that in Matthew 25. I think the implications are clear. They are the least of these as well. They need our help, and I think we have a moral obligation, as people of faith, to help them.

We also have a fiscal imperative because while the Federal deficit is down from $1.4 trillion 6, 7, 8 years ago, down to about one-third of that, it is still high. We need to make more progress on that. We have a fiscal imperative to meet that moral imperative.

With that, I think I will call it quits. I know my colleagues will be disappointed, but they are standing here, from all over the country, waiting to say their piece. I am going to yield to them and wish them all a good weekend, and I look forward to seeing you on Monday.

I yield the floor.

Before I do, I yield the remainder of my postcloture debate time to Senator RON WYDEN of Oregon.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Arkansas.

HOMELAND SECURITY

Mr. BOOZMAN. Mr. President, when President Trump began his campaign for the White House, he made national security and, in particular, homeland security a cornerstone of his platform. His calls to secure the border to keep terrorists off U.S. soil and to protect our communities struck a chord with a large majority of Americans who for years felt that Washington ignored their very real concerns about our porous borders and broken immigration system.

As expected, the President moved quickly to deliver on his promises to fix this broken system. This week, the Trump administration rolled out a revised version of this Executive order aimed at restoring confidence in the procedures we have used to vet refugees fleeing from nations that are known to harbor radical and violent extremists.

The revised version appears to have benefited from the engagement of the President's Cabinet, especially the key input of Homeland Security Secretary Kelly. This valuable input underscores how important it is for the President to have his team in place to govern effectively.

Senate Democrats have slowed the confirmation process at every turn. I encourage them to abandon the political games so we can quickly fill the remaining vacancies that require Senate confirmation.

It is vital that every affected agency is engaged in these types of decisions. That isn't possible if the Senate is failing to do its duty to confirm the President's nominees. Congress has many problems to tackle, but protecting our Nation is at the top of that list. That requires we work together to govern.

It also requires we take a step back from the heated rhetoric and have honest conversations. Taking the fundamental steps to protect our homeland does not diminish the fact that we are a welcoming nation that strives to help the vulnerable.

It is no secret that ISIS and other volatile extremists want to exploit our Nation's generosity and welcoming spirit to sneak terrorists onto American soil. This plan has worked well in Europe. ISIS believes it can work here as well. We can, and must, take reasonable measures to prevent that.

It is reasonable, responsible, in fact, to put a pause on accepting refugees from these nations in order to fix the flaws in the process and instill confidence in the system. The revised order removes Iraq from the list of countries. That is a move in the right direction. It shows that the Iraqis have taken the right steps in agreeing to increase their cooperation with us, and effecting positive outcomes in our relations with these nations is what this pause is all about.

Four of the countries on this list don't even have a U.S. Embassy. So you can understand how difficult it is to get a complete picture of the refugees seeking asylum from those countries when we don't even have a means by which to communicate.

Once the President's Executive order goes into effect, every country will be evaluated within 20 days. If a country comes up short of where it needs to be, it will have 50 days to fix the failures and communications with us.

The reasonable measures we are taking to reduce this threat in no way run counter to the ideals our Nation is built upon. We can be proud of the resources the United States has provided to support those fleeing persecution in war-torn Syria. I have visited the refugee camps we support in Jordan and Turkey. Our commitment to their well-being is strong. The rhetoric doesn't match the realities when it comes to this issue.

The administration's efforts to secure our borders has been met with similar hyperbole. Again, there is nothing unreasonable about ensuring that we know who is coming into our Nation. We are a nation of immigrants and must remain welcoming to those who want to achieve the American dream. We should be proud of our record to naturalize those who immigrate here legally. We naturalize more new citizens per year than the rest of the world combined. Enforcing the law, ensuring the safety and security of our Nation, will not change our commitment to being a welcoming society to those who seek a better life.

But you can't create policies to secure our homeland while wearing rose-colored glasses. There are terrorists seeking to exploit our good graces so they can attack us here at home. This is not a scare tactic; this is reality, and we have to root our policies in reality.

As chairman of the Appropriations Homeland Security Subcommittee, I strongly support President Trump's efforts to get Washington to uphold our most important responsibility: protecting the American people. I stand ready to work with him, Secretary Kelly, and my colleagues to accomplish this goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today to express my opposition to the confirmation of Seema Verma as Administrator of the Centers for Medicare and Medicaid Services, known as CMS.

As CMS Administrator, Ms. Verma would oversee healthcare coverage for more than 55 million seniors and disabled individuals in the Medicare Program. In addition, she would be the primary authority for the Medicaid Program, the Children's Health Insurance Program, and our Nation's health insurance marketplace. Together, these programs cover over 70 million Americans.

I have serious concerns that if confirmed, Ms. Verma will pursue short-sighted changes to our healthcare system that could jeopardize care for working families, while providing huge benefits to corporate interests.

Ms. Verma has openly stated her desire to put insurance companies back in charge of our healthcare by allowing insurers to deny women maternity care coverage as an essential health benefit. She has also expressed support for proposals that would weaken essential health benefits that ensure coverage for mental healthcare, preventive screenings, and comprehensive pediatric care for children. These comprehensive services form the backbone of the healthcare system that invests in preventive care, improving outcomes, lowering costs, and puts consumers in charge of their own healthcare. Ms. Verma is proposing to take us back to the days when insurance companies were in control and when they would tell you what was best, not you or your doctor.

She has also expressed support for dangerous and radical proposals that would change Medicare as we know it. I believe that when it comes to Medicare, our future CMS Administrator should be doing everything he or she can to strengthen an incredibly successful program. Ms. Verma, instead, supports policies that reduce the quality of care and increase costs on older Americans.

Our Nation's seniors have worked hard their entire lives. We owe them a secure and dignified retirement. When Congress was first debating the Affordable Care Act in 2009, I heard from seniors who had split their pills in half or would forgo their prescriptions altogether just to put food on their table. This is simply unacceptable in this great country of ours.

It is important to remember that the Affordable Care Act extended the solvency of Medicare by more than a decade, while simultaneously bringing down prescription drug costs for seniors. Because of improvements to Medicare in the Affordable Care Act, the average senior in Michigan saved over $1,000 on prescription drug costs in 2015.

While this shows the success the ACA has had in helping older Americans, there is still much more work to do. We must keep moving forward to strengthen and improve Medicare. I am concerned Ms. Verma will move us backward.

During her confirmation hearing, she failed to express her opposition to proposals that would increase Medicare's eligibility age. This means that Michigan's construction workers, nurses, and autoworkers would need to spend more years on their feet before they see the coverage they have earned.

Ms. Verma provided no clear direction on what she will do to strengthen the Medicare Program, and I am concerned that she sees older Americans as just one more line on a budget. These Americans have worked hard their entire lives, and the very last thing we should be doing is making cuts at their expense. Instead, we should focus on proven advances in technology that improve Medicare and cut costs without jeopardizing care for seniors and disabled individuals.

I worked with my colleagues in Congress to introduce bipartisan proposals that will do just that. For example, Medicare spends one out of every three dollars on diabetes treatment. The total economic cost of diabetes is estimated to be $245 billion every year. I have introduced bipartisan legislation that allows Medicare to enroll individuals at risk for developing diabetes into medical nutrition therapy services proven to decrease the likelihood they will develop diabetes in the first place. I have also introduced bipartisan legislation that expands Medicare's use of telemedicine, increasing access for patients in rural and underserved communities and bringing down future health costs by ensuring patients get the preventive care they need to stay healthy.

I will keep working to improve and modernize our healthcare system without sacrificing care for the most vulnerable. Unfortunately, I do not believe Ms. Verma shares this commitment. I am voting against Ms. Verma's nomination because our seniors and working families deserve a CMS Administrator who is fighting to improve their healthcare, not one who merely sees them as a budgetary obligation.

I will oppose her confirmation, and I strongly urge my colleagues to do the same.

Mr. President, I yield 35 minutes of my postcloture debate time to Senator WYDEN.

The PRESIDING OFFICER. The Senator has that right.

Mr. PETERS. I yield the floor.

Ms. CANTWELL. Mr. President, I rise to discuss the nomination of Seema Verma for Administrator of the Centers for Medicare and Medicaid Services, CMS.

We have before us a nominee that would run an agency responsible for the healthcare of more than 100 million Americans, with an annual budget of about $1 trillion. This is the agency that administers Medicare, Medicaid, the Children's Health Insurance Program, and health insurance exchanges. In short, CMS is the single most consequential agency in health care.

Yes, I am deeply concerned about this administration's ideas on Medicare and on the individual insurance market, over both of which CMS has profound influence, but I am most concerned about their plans for Medicaid.

Based on Ms. Verma's history, her actions, her statements, and her testimony before the Senate Finance Committee, it is clear to me that Mrs. Verma is not only complicit but is leading the charge to wage a war on Medicaid.

Why do I say that? Let us look at Ms. Verma's record, actions, and testimony on Medicaid. In Indiana, Ms. Verma made millions of dollars in consulting

fees by kicking poor working people off of Medicaid for failure to pay monthly contributions similar to premiums. This plan forced people making $10,000 a year, $5,000 a year, or even homeless people with virtually no income to pay a monthly contribution or be penalized. As a result of Ms. Verma's work, about 2,500 Hoosiers have been cut from care. Evaluations of this plan by independent experts show it is confusing to beneficiaries and has not demonstrated better results than traditional Medicaid expansion. Meanwhile, enrollment is far lower than projected.

During my meeting with her and in her testimony before the Senate Finance Committee, Ms. Verma stated that Medicaid should not be an option for able-bodied people. Ms. Verma seems to think the private sector can serve this population on its own. Based on what we know about the historical affordability challenges in the individual health insurance market, I find this notion hard to believe.

My State is innovating in Medicaid through ''rebalancing'' from nursing homes to home and community care, integrating behavioral health and primary care, and adopting of innovative new waivers through collaboration with the Federal Government. In fact, Washington State realized more than $2.5 billion in savings over 15 years through rebalancing efforts; yet Ms. Verma will not commit to a single delivery system reform idea.

Ms. Verma claims Medicaid is a top-down Federal power grab. On the contrary, Medicaid is an optional State program, with all States participating. Every State participates because they know Medicaid is a good strategy for covering a low-income and vulnerable population and supporting their healthcare delivery system. Medicaid is highly flexible right now, and States have wide latitude over eligibility, benefits, provider reimbursements, and overall administration of their Medicaid programs.

Ms. Verma claims Medicaid produces poor outcomes, but she cannot offer a single credible clinical outcome or quality measure that the program is not achieving. Meanwhile, data show that patient satisfaction in Medicaid is high and the program achieves improved public health and clinical outcomes for its patients.

Most concerning, Ms. Verma has repeatedly endorsed the administration and Republicans' plan to permanently cap Medicaid, which would hurt patients, States, health providers, and local economies.

I am voting no on Seema Verma's nomination for CMS Administrator because I cannot endorse a full-scale assault on the Medicaid Program.

Mr. RUBIO. Mr. President, Seema Verma has a proven track record of helping States create patient-centered healthcare systems that improve quality and access and give individuals and families more control over their healthcare. Due to a family commitment, I was unable to participate in the cloture vote. However, I strongly support Ms. Verma's nomination and look forward to working with her on the many important healthcare issues facing Florida and our country.

The PRESIDING OFFICER. The Senator from Alaska.

## TRIBUTE TO GLEN HANSON

Mr. SULLIVAN. Mr. President, I have been coming down to the floor for the past several months recognizing Alaskans who make our State great and our country better for all of us. I really enjoy doing this because it gives me an opportunity to share the excellent work my citizens are doing in their communities. It also gives me a few minutes to highlight to all my colleagues here in the Senate—and to some of those Americans who might be watching at home—to talk a little bit more about the unique place I call home and am honored to serve and represent in the Senate.

This week, I would like to honor pilot Glen Hanson, who is right now somewhere flying above racing sled dogs in the far north in Alaska, literally as we speak.

Before I get to how he is helping Alaskans and how he is this week's Alaskan of the Week, let me take you back through a remarkable bit of history that happened in Nome, AK, in 1925, when a diphtheria serum was desperately needed for the children in Nome. The nearest batch of serum was 1,000 miles away in Anchorage, AK. There weren't—and still aren't—any roads that connect Nome to Anchorage. There was very challenging winter weather during this time, so no airplanes could fly. In fact, the nearest train station was over 700 miles away from Nome, so people traveled mostly by dog sled.

On the night of January 27, 1925, musher ''Wild Bill'' Shannon tied a 20-pound package of serum wrapped in protective fur around his sled. He and his nine dogs started the journey called then the ''Great Race of Mercy'' across the frozen Alaska land. Miles later, he met up with another racer and another team of dogs, and the relay continued all across Alaska, over 1,000 miles—20 mushers and 150 sled dogs—through some of the world's most rugged terrain and some of the world's most brutal weather. In fact, right now in parts of Alaska where the Iditarod is happening, it is 40 to 50 below zero.

That original race, the Great Race of Mercy, began to be reenacted, with some twists, in 1973 and continues today. In fact, it is going on right now, the Iditarod, the Last Great Race, in my great State. People from all across the world come to participate in it and come to watch it. It is the quintessential Alaskan event that involves the work of hundreds of Alaskans, lodge owners, veterinarians, dogs, dog handlers, volunteers, pilots—hundreds, thousands.

Alaska, as you might know, is home to more veterans per capita than any other State, but we are also home to more pilots per capita than any other State. Our pilots are a vital part of our economy and transportation, and they are a vital part of the Iditarod. In fact, the race couldn't exist without them.

Every year, more than a dozen volunteer pilots load their planes for the Iditarod race with more than 100,000 pounds of dog food, hundreds of bales of hay, and lumber for tents. They fly the veterinarians, the judges, the dog handlers, and so many of the volunteers out to the checkpoints hundreds of miles away. We call them the Iditarod Air Force, and every one of them deserves recognition.

That gets me back to Anchorage resident Glen Hanson, who is our Alaskan of the Week. Glen, along with his brother Bert, is tied among this year's pilots as the longest serving volunteer in the Iditarod Air Force. He began volunteering for the Last Great Race—the Iditarod Air Force—in 1984. Glen has since put in roughly 1,500 hours of volunteer time, making sure that the Last Great Race continues and that the dogs and the mushers are taken care of—taken care of right now in 40 to 50 below zero, as this race is going on.

This year, Glen won the Alaska Air Carriers Association Iditarod Humanitarian Service Award. Upon receiving it, the Air Carriers Association wrote to Glen:

> You are obviously an accomplished pilot held in high regard by your peers. While there are many volunteers working to make the race possible, you consistently go above and beyond the call of duty. You are always quietly willing to take every assignment, no matter how unglamorous or uncomfortable. You step up time after time to fly in the challenging air strips to ensure that the musher supplies and race personnel are available to keep the race safe.

Thank you, Glen, for all you do to keep our great Alaska history alive. And thanks to all the pilots in the Iditarod Air Force this year and so many of the other volunteers who keep everybody safe—and are doing it right now during this year's Iditarod. And to all the mushers and these great dogs, good luck. Everyone involved makes this truly the last great race in America.

## MORNING BUSINESS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TRIBUTE TO MASTER SERGEANT KEARY MILLER

Mr. MCCONNELL. Mr. President, today it is my honor to congratulate retired MSgt Keary Miller of the Kentucky Air National Guard's 123 Special

Tactics Squadron. On January 17, 2017, the U.S. Air Force awarded Master Sergeant Miller, of Goshen, KY, its highest honor, the Air Force Cross. This award is presented ''for extraordinary heroism while engaged in military operations against an opposing foreign force.'' It is second only to the Congressional Medal of Honor.

In March 2002, Miller served in the Battle of Takur Ghar as part of Operation Anaconda in the Paktia province of Afghanistan. Their mission was to defeat Taliban forces hiding in on the Takur Ghar Mountain.

During the mission, two MH–47E Chinook helicopters took enemy fire as they attempted to land. The helicopter lurched in an attempt to evade taking damage. The quick maneuvering caused PO1 Neil C. Roberts to fall from the rear ramp out of the vehicle. Miller, a pararescuman, was in a third helicopter to rescue Roberts. However, his vehicle was hit with automatic weapons fire and rocket propelled grenades when it was 20 feet above the ground.

The enemy fire damaged Miller's helicopter and forced them to touch down on Takur Ghar. After a hard landing, Miller and his team formed a defensive posture despite five critical casualties. Through rocket propelled grenade, mortar, and small arms fire, Miller dragged the wounded helicopter pilot to safety. For the next 17 hours, Miller and his team engaged the enemy in intense fighting, and he displayed astonishing bravery as he helped the wounded and resupplied his comrades.

Through his heroic actions, Miller successfully brought 10 seriously wounded soldiers to medical treatment and recovered seven Americans killed in action.

For his service, the Air Force awarded Miller the Silver Star on November 1, 2003. However, as part of the Department of Defense's review of combat medals, the Secretary of the Air Force Deborah Lee James upgraded the award to the Air Force Cross.

In a statement, James said ''These are people whose lifestyle includes going above and beyond the call of duty and exemplifying the Air Force core values of integrity first, service before self and excellence in all we do.''

To further commemorate Miller's extraordinary service, the National Museum of the United States Air Force at Wright-Patterson Air Force Base has included his actions in the Battle of Takur Ghar in a permanent exhibition on battlefield airmen.

On behalf of a grateful nation, I want to extend my sincerest thanks to Master Sergeant Keary Miller for his service to the United States and the Kentucky Air National Guard. I ask my colleagues to join me in honoring this distinguished Kentuckian. He has earned this prestigious award, and he is a true American hero.

## TRIBUTE TO GEORGE FLYNN

Mr. MCCONNELL. Mr. President, today it is my honor to celebrate former Pulaski County circuit clerk George Flynn. Although he began his retirement last year, his community is still recognizing him for his three decades of public service. The Somerset-Pulaski County Chamber of Commerce presented the ''Distinguished Community Service Award''—its top honor—to Flynn in recognition of his dedicated work to the people of Pulaski County.

In both his personal life and professional work, Flynn tirelessly tried to make his community a better place. He was first elected in 1987 because he ''is [the] personification of a 'one of us' attitude necessary to attract votes in Pulaski County.'' Because of his exemplary work as circuit clerk, the people reelected him four times. In his tenure, he worked with five circuit court judges and oversaw the modernization of all court records.

After a proud career of public service, Flynn said he is ready to spend his days sleeping in, enjoying time with his wife, Resa, his grandchildren, and his dogs. He has earned a relaxing retirement. I would like to extend my warmest congratulations to George Flynn for a notable career of public service and this much deserved award.

## REMEMBERING WILLIAM ''BILL'' HOLEMAN

Mr. MCCONNELL. Mr. President, today I wish to honor the life of William Holeman. Preacher Bill, as he was known, came to eastern Kentucky in 1953 and almost immediately made a lasting impact.

For over 60 years, Bill travelled throughout eastern Kentucky, teaching around 40,000 schoolchildren each year about bullying, drug abuse, and his Christian faith with the Youth Haven Bible Camp. Although his family described him as a humble man, Bill had a real passion for his vocation.

To help teach the kids, Bill employed ventriloquist dummies named Henry and Homer. He developed their personalities and spread his message with laughter and fun.

Bill dearly loved eastern Kentucky and its people. He devoted his life to them, and many children were forever changed by his work.

Preacher Bill will surely be missed, and Elaine and I send our condolences to his wife, Joyce, and their children Susan, Gail, Gary, and Eddie.

## REMEMBERING SHERIFF CHARLES EDWARD ''FUZZY'' KEESEE

Mr. MCCONNELL. Mr. President, today I wish to remember the life of the longest serving county sheriff in the history of Kentucky, Pike County Sheriff Charles Edward Keesee. After more than 40 years of hard work, ''Fuzzy,'' as he was affectionately known, passed away at the age of 89.

A veteran of the Second World War, Fuzzy became a lasting icon in Pike County. Deputy Judge/Executive Brian Morris said ''You can't serve for more than four decades and not personally touch every household in Pike County.'' He was a compassionate public servant, a dedicated law enforcement officer, and a good man. The community will surely remember Fuzzy's impact and miss him deeply.

Elaine and I send our condolences to Sheriff Keesee's wife, Easter, his brother, Alben, and his sister, Nancy Jo.

# ADDITIONAL STATEMENTS

## TRIBUTE TO LYLE BURGESS

● Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Lyle Burgess of Ryegate. Lyle has been a dependable leader for the people of Golden Valley County for over a generation. He has contributed to the community in the fields of education and emergency services. Golden Valley County is located in the middle of Montana, and Lyle has been in the middle of events in the county for many years.

After graduating from Eastern Montana College, now known as Montana State University-Billings, Lyle began a 30-year career as a school teacher at Ryegate High School. A few years after he started teaching, Lyle began serving as a first responder with the Golden Valley County Emergency Medical Services. Although he is now retired from teaching, Lyle continues to serve his community: he went on to become the director of EMS. Today he still serves in that role. As director, Lyle is responsible for training new first responders and getting them ready to be Emergency Medical Technicians. The familiar saying ''once a teacher, always a teacher'' rings true for Mr. Burgess. Golden Valley County Sheriff Robert Pallas referred to Lyle and his colleague at EMS, Mary Ann Schladweiler, as the ''staples'' of the program.

Golden Valley County is home to just about 800 residents. The rural setting magnifies the necessity of having great folks like Lyle and Mary Ann offer their time and talent in the service of others. Montana is a State blessed with many treasures, and the greatest treasure of all is the people. Thank you, Lyle, for going above and beyond in the community and teaching others by your example.●

## TRIBUTE TO EVELYN FRANCES STEARNS

● Ms. HASSAN. Mr. President, I ask my colleagues to join me in honoring Evelyn Frances Stearns, who celebrates her 100th birthday on March 31, 2017. Evelyn was born in South Berwick, ME, the daughter of Perley and Helen Marshall.

She was a resident nurse graduate of Nashua Memorial Hospital in Nashua, NH, and was later a 3 and a half year veteran in the Army Nurse Corps, working as an operating room nurse in

the U.S. and South Pacific theatres during World War II.

During the war, she was part of the 9th General Hospital originating in Fort Devens, MA, and then shipped to Townsville, Australia.

In 1944, she was transported to the Southwest Pacific, where she served in New Guinea during the battles that took place. She was awarded a Bronze Star Medal for her service.

On February 18, 1945, she was promoted from second lieutenant to first lieutenant.

In June of 1946, she married Fred C. Stearns from Winchester, NH, and the two had four children: Linda, Diane, Gail, and Sally.

Evelyn raised her three girls while employed at the Valley Regional Hospital in Claremont, NH, as the operating room supervisor. There, she was known as ''Our mother, the owl.'' Tough, but fair, Evelyn didn't miss a trick.

After 22 years there, she retired in 1982.

Evelyn is known around the city of Claremont for her daily walks, often in excess of 5 miles a day, up until the age of 98. She also found great joy in maintaining her home inside and out until the day she left, 6 months ago. Her work ethic exhausted her children and grandchildren, who were amazed at her tenacity.

She continues to be an avid bridge player, and enjoys crosswords and reading mysteries.

Among her family, Evelyn has seven grandchildren and nine great-grandchildren.●

## TRIBUTE TO WENDY DiVECCHIO

● Mr. HELLER. Mr. President, today I wish to congratulate Wendy DiVecchio on becoming the chief executive officer of the Greater Las Vegas Association of Realtors, GLVAR. It gives me great pleasure to recognize DiVecchio's recent success and her dedication to the great State of Nevada.

Founded in 1947, GLVAR has always led our State in professionalism. GLVAR, the Nevada representative for the National Association of Realtors, is the largest professional organization within southern Nevada, providing 13,000 of its members educational resources, professional training, and political representation. GLVAR has truly made an impact on our State, specifically in Las Vegas.

As a longtime resident of Las Vegas, DiVecchio has served in several different departments within the GLVAR for over 17 years, holding many of the company's crucial positions. Over the years, DiVecchio served as educational director, national chairwoman for local and State Realtor associations, and interim CEO. Recognizing her exceptional efforts, DiVecchio also earned the Realtor Certified Executive designation from the National Association of Realtors. While working full-time at GLVAR, she also earned a bachelor's and master's degree in business management from the University of Phoenix.

In her new role, DiVecchio will oversee more than 30 employees and all other aspects of the GLVAR, including its move into a new headquarters located in southern Las Vegas. Although she will be faced with more responsibility, DiVecchio has proven she is up to the task and will succeed to her fullest potential.

As Nevada's senior Senator, I applaud DiVecchio's impressive feats and commend her for demonstrating such valuable commitment and loyalty to GLVAR. I am both humbled and honored by her hard work, and I am proud to call her a fellow Nevadan. Today I ask all of my colleagues to join me in congratulating Wendy DiVecchio on her recent promotion to GLVAR's CEO and wish her well in her future endeavors. I give my deepest appreciation for all that she has done for the Silver State.●

## TRIBUTE TO STACEY ESCALANTE

● Mr. HELLER. Mr. President, today I wish to recognize Stacey Escalante of Las Vegas. Stacey is a Nevada mother who battled cancer and won. Ever since she defeated cancer, Stacey has taken herself to new heights and translated her strength into action. Her story makes us all proud to call Nevada home.

Stacey Escalante was diagnosed with stage 3 skin cancer over 10 years ago when she was still a news reporter for KVBC, now KSNV–TV. Up until this point, she was a model for health, but as we all know, cancer is a disease of its own. After several medical procedures, constant trips to the doctor, Stacey had to endure years of screenings and follow-up medical procedures before the cancer finally went into remission. During this time, she was forced to take a leave of absence from her job in order to recover. Even worse, she had to spend an extended period of time away from her family and friends.

During this recovery, Stacey wanted to come back home. She knew she would recover if she got to be at home surrounded by her family and coworkers who cared deeply about her. Fortunately, Stacey was able to return home and be with her family and friends; there she continued to fight cancer tooth and nail.

After she recovered, Stacey didn't just go back to work and pick up where she left off. Instead, Stacey became a cancer survivor, willing to stand up for cancer patients and those unware of the dangers that tanning beds can cause to the human body. Stacey also remains incredibly active, a hard-working single mom who is still dedicated to living a healthy lifestyle. Despite time away from her career, Stacey worked through the setbacks and is now a publicist at Orca Communications and continues to have an exciting career in public relations.

Stacey's battle with cancer and getting to where she is today is a testament to her determination. She has a passionate story to tell, and I believe that she will continue to inspire others to do the same. She epitomizes what it means to fight back and go even further by spreading the word about the dangers posed by tanning beds and advocate for other women's health issues. I am truly inspired by her story.

I am both humbled and honored to acknowledge Stacey Escalante for her perseverance and willingness to share her story and get involved to make the great State of Nevada an even stronger, healthier State. I wish her continued efforts the absolute best. I will continue to pray for her as well as her wonderful family and friends who stood by her side every step of the way.●

## TRIBUTE TO LIEUTENANT COLONEL MATT JONKEY

● Mr. HELLER. Mr. President, today I wish to congratulate LTC Matt Jonkey on completing his master of arts degree in security studies at the Naval Postgraduate School Center for Homeland Defense and Security, CHDS. It gives me great pleasure to recognize him for his recent success and his continued dedication to serving the great State of Nevada.

CHDS is our Nation's epicenter for homeland security education located at the Naval Postgraduate School, NPS. Among the many programs CHDS offers, its masters program is exceptionally prestigious and provides its graduates with a vast array of useful skills. Additionally, the program offers extensive analysis of the security operation within the United States. To complete this intense 18-month program, CHDS graduates must exercise unconventional critical thinking skills, advanced leadership tactics, and develop a comprehensive understanding of security policy and operations.

In addition to graduating from the University of Nevada at Reno with a bachelor's degree in criminal justice, lieutenant colonel Jonkey also managed to build an impressive career within the Nevada National Guard. He has held several positions with many responsibilities, ranging from aviation management to weapons of mass destruction response. Currently, lieutenant colonel Jonkey serves as commander of the 92nd WMD–CST where he oversees the Nevada National Guard's response to weapons of mass destruction and other HAZMAT-related disasters in support of civil authorities. Furthermore, lieutenant colonel Jonkey is also an outstanding father to his two daughters and a loving husband to his wife, Ashley.

During his time in the CHDS program, lieutenant colonel Jonkey engaged in strategic and organizational debate with high-level, national security operatives across the country. Additionally, lietuenant colonel Jonkey

completed a thesis on government drones and the Department of Defense's abilities to respond to homeland disasters. After a rigorous 18-month online and in-residence program, lietuenant colonel Jonkey graduated from the CHDS program on December 16, 2016.

I commend lieutenant colonel Jonkey for his unwavering dedication to his career and his courageous contributions to Nevada. His character is truly admirable and stands as a shining example for future generations. As a member of the Senate Veterans' Affairs Committee, I applaud lieutenant colonel Jonkey's steadfast allegiance to the Silver State and his determination to complete this highly esteemed milestone.

I ask my colleagues and all Nevadans to join me in congratulating lieutenant colonel Matt Jonkey for his recent achievement and his service to Nevada. I wish him the best of luck in all of his future endeavors.●

## TRIBUTE TO ROBERT K. SCHRATZ

● Mr. HELLER. Mr. President, today I wish to recognize the 100th birthday of Robert K. Schratz, a WWII veteran and an incredible family man. I am proud to honor him for reaching such an impressive milestone in his life, and I want to acknowledge his unwavering courage and service to our Nation.

Mr. Schratz, an avid outdoorsman and Eagle Scout, was born in Pittsburgh, PA, on January 25, 1917. As a graduate from Carnegie Tech with a degree in civil engineering, Schratz went on to work for the Pittsburgh and Lake Erie Railroad as a design engineer. However, after the attack on Pearl Harbor, he enlisted into the U.S. Army Air Corps.

In 1944, Schratz graduated from the Air Corps as a multiengine pilot and a second lieutenant. He flew over 168 missions, including the Berlin Airlift, and served a 4-year Pentagon assignment. Over several years, Schratz was stationed all over the world, including Texas, Mississippi, Washington, DC, Alabama, England, Germany, and Japan. Schratz was also stationed at Stead Air Force Base in Nevada, a place he truly admired and would eventually call home. After retiring from the Air Force as a lieutenant colonel, Schratz and his beloved wife, Barbara, permanently moved to Reno, NV, where Schratz worked for the City of Reno Engineer's office for over a decade.

As a World War II veteran, Schratz's commitment to his country and his dedication to his family and community will be preserved for generations to come. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility to honor these brave individuals, and I remain committed to upholding this promise for veterans and servicemembers in Nevada and throughout the Nation.

Additionally, I am pleased to recognize Schratz for passing on his legacy of serving our country through several generations. Lieutenant Colonel Schratz's son, Robert K. Schratz II, served as a captain in the U.S. Marine Corps while his son, Mark Schratz, also served in the U.S. Air Force. His grandson, Wayne Cates, served in the U.S. Navy, and his great-granddaughter, Hospital Corpsman Third Class Emily Cates, currently serves in the U.S. Navy. I truly commend these members of the Schratz family and am grateful for their devotion to protecting our Nation's freedoms.

I applaud Robert K. Schratz for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation. Today I am honored to commend Mr. Schratz and celebrate an inspiring milestone achieved by such an upstanding Nevadan.●

## RECOGNIZING KIT'S KITCHEN

● Mr. HELLER. Mr. President, today I wish to recognize a great small business and charitable organization that is leading by example, serving the community, and making a difference in the great State of Nevada. Chanthy Walsh and her husband own a nonprofit restaurant called KIT's Kitchen, which is located in Henderson, NV. The name stems from the nonprofit foundation they run called Kids in Transition. Both organizations work side by side to help those in need.

Since November 2016, KIT's Kitchen has been training underprivileged youth, while providing affordable meals to the local community. This restaurant provides its volunteers with real work experience and teaches them what it takes to succeed in the restaurant and hospitality industry. To me, it is more than just learning about the restaurant; these kids are being taught hard work, about giving back to their community, and what it means to make a commitment and be held accountable to it—values that go beyond the workplace.

In addition to their impressive restaurant, Mrs. Walsh and her husband, Tim, direct a nonprofit called the Kids in Transition Foundation, which is designed to help young people build a successful career. This foundation provides meals, scholarships, financial aid, and mentoring advice to Nevada's youth. Together, these efforts are building a better future for Nevada.

As a father, I understand firsthand how much of an asset Chanthy Walsh and her work is to the Silver State. Considering these young Nevadans are the future, I am proud to see Ms. Walsh strive to make Nevada brighter every single day. It is this dedication to community and giving back that makes a difference in so many people's lives.

Today I ask my colleagues and all Nevadans to join me and recognizing this organization, its employees, and its impressive leader. Chanthy Walsh provides an outstanding service to the local community and to our great State. As Nevada's senior Senator, I am humbled by her efforts and a true commitment to making a difference in people's lives. I hope others can look to her for inspiration on how to make their community a better place for everyone.●

## 75TH ANNIVERSARY OF APPLIED PHYSICS LABORATORY

● Mr. VAN HOLLEN. Mr. President, today, we commemorate the 75th anniversary of the founding of Johns Hopkins University's Applied Physics Laboratory.

I am fortunate to represent Maryland, a State that plays a leading role in science, technology, and innovation. From NASA's Goddard Space Flight Center, to the National Oceanic and Atmospheric Administration, to the National Institute of Standards and Technology, Maryland is at the frontier of discovery and innovation. Among Maryland's leaders in space, science, and innovation is the Applied Physics Laboratory, or APL

From its humble beginnings in a converted auto dealership in Silver Spring, MD, to its current state-of-the-art facility in Howard County, APL has designed, built, and launched countless spacecraft and instruments. Like the Goddard Space Flight Center, APL provides a great economic boost for Maryland, employing thousands of Marylanders and generating $1 billion in annual revenues. APL serves both civil and national security clients, in areas from homeland protection and undersea warfare to missile systems and biomedicine.

Early on the morning of July 14, 2015, along with representatives from NASA and the Southwest Research Institute, and my old friend Dr. Tom Krimigis, I was able to visit APL to witness the Pluto flyby of the spacecraft New Horizons. I waited eagerly as New Horizons flew 7,800 miles above the surface of Pluto, making it the first spacecraft to explore the dwarf planet. The excitement and pride in the room was palpable. Maryland and the Applied Physics Laboratory were once again playing a critical role in the history of human discovery.

I am grateful for the work that APL has done. And I look forward to the work that APL will continue to do, well into the future. I join my Colleague, Senator BEN CARDIN, in sponsoring a resolution congratulating the Johns Hopkins University Applied Physics Lab on the 75th anniversary of the Lab's founding.

Humanity has long asked: From where did we come? And are we alone? Places like APL will help us answer fundamental questions like these. I am proud to represent them here in the

U.S. Senate, and I look forward to working with them to keep science, space, and space technology strong and vibrant in Maryland and the United States for years to come.

I congratulate APL, Johns Hopkins, and its many partners as they celebrate this important milestone.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1301. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

ENROLLED BILL SIGNED

At 12:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S.442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 9, 2017, she had presented to the President of the United States the following enrolled bill:

S. 442. An act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 419. A bill to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Nominee: David M. Friedman.

Post: Ambassador to Israel.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $50,000.00, 6/17/2016, Trump Victory Committe; $1,000.00, 10/26/2012, Josh Mandel Senate Victory Committee.

2. Spouse: None.

3. Children and Spouses: Daniel Friedman: none. Jana Friedman: none. Jacob Friedman: none. Danielle Friedman: none. Aliza Romanoff: none. Eli Romanoff: $75.17, 10/13–20/2016; Trump/Pence 2016. Talia Friedman: none. Katie Friedman: none.

4. Parents: Morris Friedman—(deceased), none; Adelaide Friedman: none.

5. Grandparents: Benjamin Friedman—(deceased), none; Mary Friedman—(deceased), none; Lewis Gottlieb—(deceased), none; Josephine Gottlieb—(deceased), none.

6. Brothers and Spouses: Mark Friedman, none; Rose Friedman, none.

7. Sisters and Spouses: Naomi Wolinsky, none; Steven Wolinsky, none.

By Mr. GRASSLEY for the Committee on the Judiciary.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019.

By Mr. BURR for the Select Committee on Intelligence.

*Daniel Coats, of Indiana, to be Director of National Intelligence.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANDERS (for himself and Mr. SCHATZ):

S. 586. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS:

S. 587. A bill to amend the Internal Revenue Code of 1986 to limit substantiation requirements for charitable contributions to returns submitted by the donor; to the Committee on Finance.

By Mr. MURPHY (for himself, Mr. THUNE, Mr. SCHATZ, Mr. TOOMEY, and Ms. HEITKAMP):

S. 588. A bill to require the Securities and Exchange Commission to clarify what constitutes a general solicitation under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KING:

S. 589. A bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of $1,000 or more from any contributor during a calendar year, and for other purposes; to the Committee on Rules and Administration.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 590. A bill to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Ms. COLLINS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Mr. MURPHY, Mr. SCHATZ, Mr. SANDERS, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, and Ms. CANTWELL):

S. 591. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAINE (for himself, Mr. ROUNDS, and Mr. PERDUE):

S. 592. A bill to amend title 10, United States Code, to support meeting the increasing needs of the United States for a cybersecurity and information assurance workforce by reinvigorating and modifying the Information Assurance Scholarship Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mrs. CAPITO (for herself, Mr. BOOZMAN, Mr. BENNET, and Ms. HEITKAMP):

S. 593. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

By Mr. CORNYN (for himself, Mr. CRUZ, and Mr. LEAHY):

S. 594. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. JOHNSON):

S. 595. A bill to provide U.S. Customs and Border Protection with additional flexibility to expedite the hiring process for applicants for law enforcement positions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. MARKEY, Mr. MENENDEZ, and Mrs. FEINSTEIN):

S. 596. A bill to direct the Administrator of the Federal Aviation Administration to prescribe regulations establishing minimum standards for space for passengers on passenger aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. TOOMEY, Mr. DONNELLY, and Ms. COLLINS):

S. 597. A bill to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. PAUL):

S. 598. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for child care expenses, and for other purposes; to the Committee on Finance.

By Mr. DONNELLY (for himself and Mr. YOUNG):

S. 599. A bill to redesignate the Indiana Dunes National Lakeshore as the ''Indiana Dunes National Park'', and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 600. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. WICKER, Mr. REED, Mr. COCHRAN, Mr. MERKLEY, and Mr. BROWN):

S. 601. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 602. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. BENNET:

S. 603. A bill for the relief of Jeanette Vizguerra-Ramirez; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. DAINES, and Mrs. FISCHER):

S. 604. A bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself and Mr. TESTER):

S. 605. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. CARDIN, Mr. CASEY, and Mr. BROWN):

S. 606. A bill to amend the Internal Revenue Code of 1986 to prevent taxpayer identity theft and tax refund fraud, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S.J. Res. 37. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to ''Energy Conservation Program: Test Procedures for Compressors''; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself and Mr. RUBIO):

S. Res. 85. A resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. COCHRAN, Mrs. SHAHEEN, Mr. WICKER, Mr. CARPER, Mr. BOOZMAN, Mr. BENNET, Mr. DURBIN, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. HASSAN, Mr. WYDEN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. REED, Ms. WARREN, Mr. PETERS, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. MCCAIN, Mr. MORAN, Mr. BLUNT, Mr. MANCHIN, and Mr. CASEY):

S. Res. 86. A resolution recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 116

At the request of Mr. HELLER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 116, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 129

At the request of Mr. WICKER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 129, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. 200

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 261

At the request of Mr. BLUNT, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 264

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 264, a bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in ordinary course of carrying out its tax exempt purpose.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA–PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 419

At the request of Mr. GRASSLEY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Missouri (Mr. BLUNT), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 419, a bill to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

S. 438

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 482

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 488

At the request of Mr. TOOMEY, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 488, a bill to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes.

S. 543

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 543, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include in each contract into which the Secretary enters for necessary services authorities and mechanism for appropriate oversight, and for other purposes.

S. 544

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 544, a bill to amend Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 578

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 578, a bill to amend title 5, United States Code, to provide requirements for agency decision making based on science.

S. 579

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 579, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 582

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 582, a bill to reauthorize the Office of Special Counsel, and for other purposes.

S. 584

At the request of Mr. LANKFORD, the names of the Senator from Utah (Mr. HATCH) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 584, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Wyoming (Mr. BARRASSO) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to ''Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness'' .

S.J. RES. 28

At the request of Mr. INHOFE, the names of the Senator from Iowa (Mrs. ERNST), the Senator from Utah (Mr. HATCH), the Senator from Mississippi (Mr. COCHRAN), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act.

S.J. RES. 32

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was withdrawn as a cosponsor of S.J. Res. 32, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

S.J. RES. 33

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was withdrawn as a cosponsor of S.J. Res. 33, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 83

At the request of Mr. MARKEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Mr. KING) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. Res. 83, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. MURRAY (for herself, Ms. COLLINS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BROWN, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. KING, Mr. MURPHY, Mr. SCHATZ, Mr. SANDERS, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, and Ms. CANTWELL):

S. 591. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes; to the Committee on Veterans' Affairs.

Ms. COLLINS. Mr. President, I am once again delighted to join my colleague, Senator PATTY MURRAY, to introduce the Military and Veteran Caregiver Services Improvement Act of 2017. Our bill would greatly expand eligibility for VA caregiver support services by including veterans from all eras, allow veterans to transfer their post 9/11 GI bill benefits to their dependents, expand eligibility for the VA caregivers program to include a wider range of injuries that may have previously gone unrecognized, and provide crucial support for our Nation's caregivers themselves.

In 2014, my former colleague and friend, Senator Elizabeth Dole, commissioned a study by the RAND Corporation to learn more about the military caregiver population and explore common issues experienced by America's caregivers. The experts at RAND found that those caring for our servicemembers and veterans provide nearly $14 billion worth of unpaid services every year—an incredible cost that would otherwise be passed on to the Nation.

There are more than 5.5 million military caregivers in the United States, and of those, 1.1 million are caring for post-9/11 veterans. These are spouses, parents, children, and other loved ones who have voluntarily put their lives on hold to provide our returning servicemembers with a trusted continuum of care that could not be replicated without them. Many of them will provide this care for years, if not decades, to come.

Tragically, caring for those suffering from the scars of war takes an enormous toll. According to the RAND study, military caregivers face increased instances of mental and physical health problems, chronic absenteeism from work, deteriorating personal relationships, legal and financial troubles, and feelings of isolation. These difficulties are often more pronounced for post-9/11 military caregivers.

Our Nation owes America's veterans our deepest gratitude. Their sacrifices are often very visible. In many cases our veterans have earned medals or awards for their bravery that they can wear proudly on their chest. But our military and veteran caregivers truly are hidden heroes, serving alongside our veterans to provide the love, care, and support they need. Despite their enormous sacrifice, these hidden heroes often do not receive the awards and admiration. That does not mean that they don't deserve it. We must honor our commitment to veterans by answering the call to better support those caring for our wounded, ill, and injured warriors.

Our legislation would help strengthen the services offered to caregivers.

The Military and Veteran Caregiver Services Improvement Act is an important step in helping those who have assumed the mantle of caring for the men and women who have served our Nation so honorably. I urge all of my colleagues to join Senator MURRAY and me in honoring and supporting our Nation's military caregivers.

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By Mr. KAINE (for himself, Mr. ROUNDS, and Mr. PERDUE):

S. 592. A bill to amend title 10, United States Code, to support meeting the increasing needs of the United States for a cybersecurity and information assurance workforce by reinvigorating and modifying the Information Assurance Scholarship Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

Mr. KAINE. Mr. Presidents, a skilled workforce is essential to addressing the growing cyber security challenges in the United States. The Department of Defense, DOD, Cyber Strategy, issued in April 2015, cites building the cyber workforce among its objective's for achieving the essential strategic goal of maintaining ready forces and capabilities to conduct cyberspace operations. In Virginia, it is estimated that 36,000 cybersecurity jobs remain unfilled.

Beginning in 2001, DOD funded the Information Assurance Scholarship Program, IASP, vhich boosts the Nation's cyber workforce through scholarship and capacity-building grants to colleges and universities designated by the National Security Agency and the Department of Homeland Security as Centers of Academic Excellence, CAE. Scholarship recipients are required to fulfill a service obligation by working in a cyber security position at DOD upon graduation.

According to a DOD report from February 2015, the IASP Program had employed 593 students and awarded 180 capacity-building grants to CAEs. However, due to budget constraints, DOD reduced funding for the IASP beginning in 2013 and stopped recruiting new students. The IASP received its peak funding level of $7.5 million in 2005—for fiscal year 2017, it received $500,000.

Today, I am pleased to introduce with my colleague Senator ROUNDS, the DOD Cyber Scholarship Program Act of 2017. The DOD Cyber Scholarship Program Act of 2017 would reinvigorate the IASP to boost our Nation's cyber workforce. The bill would rename the IASP as the DOD Cyber Scholarship Program and express the Sense of Congress that the program is an important tool for boosting our cyber defense workforce.

The DOD Cyber Scholarship Program Act would also modify the program by expanding scholarships to students pursuing Associate's Degrees. There are currently 46 two-year institutions designated as CAEs, which would be eligible to apply for grants. Associate's degree programs could provide a valuable source of technical personnel, at a lower cost, to DOD. The bill would require that at least 5 percent of scholarship funds go to 2-year program students.

The DOD Cyber Scholarship Program Act would authorize the DOD Cyber Scholarship Program to receive $10 million in fiscal year 2018. At its peak in 2005, the IASP received $7.5 million. Since then, the cost of tuition has increased considerably and the need for skilled cyber professionals has never been greater. Ten million dollars is an appropriate funding level to reinvigorate the program, expand it to associate's degree recipients, and allow for manageable program execution from DOD and the National Security Agency.

The DOD Cyber Scholarship Program is a commonsense, bipartisan bill that would help students succeed in today's economy and strengthen our national security. There are good-paying jobs in Virginia and across the country in the cyber field that are going unfilled, and it is clear we must make it easier for students to access the programs that prepare them for these roles. Expanding scholarship funds so they're available to community college students will help put more of our nation's students on a path to success and support our national security needs.

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By Mr. CORNYN (for himself, Mr. CRUZ, and Mr. LEAHY):

S. 594. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''National Cybersecurity Preparedness Consortium Act of 2017''.

**SEC. 2. DEFINITIONS.**

In this Act—

(1) the term ''consortium'' means a group primarily composed of non-profit entities, including academic institutions, that develop, update, and deliver cybersecurity training in support of homeland security;

(2) the terms ''cybersecurity risk'' and ''incident'' have the meanings given those terms in section 227(a) of the Homeland Security Act of 2002 (6 U.S.C. 148(a));

(3) the term ''Department'' means the Department of Homeland Security; and

(4) the term ''Secretary'' means the Secretary of Homeland Security.

**SEC. 3. NATIONAL CYBERSECURITY PREPAREDNESS CONSORTIUM.**

(a) IN GENERAL.—The Secretary may work with a consortium, including the National Cybersecurity Preparedness Consortium, to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism.

(b) ASSISTANCE TO THE NCCIC.—The Secretary may work with a consortium to assist the national cybersecurity and communications integration center of the Department (established under section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)) to—

(1) provide training to State and local first responders and officials specifically for preparing for and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with applicable law;

(2) develop and update a curriculum utilizing existing programs and models in accordance with such section 227, for State and local first responders and officials, related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism;

(3) provide technical assistance services to build and sustain capabilities in support of preparedness for and response to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with such section 227;

(4) conduct cross-sector cybersecurity training and simulation exercises for entities, including State and local governments, critical infrastructure owners and operators, and private industry, to encourage community-wide coordination in defending against and responding to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, in accordance with section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c));

(5) help States and communities develop cybersecurity information sharing programs, in accordance with section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148), for the dissemination of homeland security information related to cybersecurity risks and incidents, including threats of terrorism and acts of terrorism; and

(6) help incorporate cybersecurity risk and incident prevention and response (including related to threats of terrorism and acts of terrorism) into existing State and local emergency plans, including continuity of operations plans.

(c) PROHIBITION ON DUPLICATION.—In carrying out the functions under subsection (b), the Secretary shall, to the greatest extent practicable, seek to prevent unnecessary duplication of existing programs or efforts of the Department.

(d) CONSIDERATIONS REGARDING SELECTION OF A CONSORTIUM.—In selecting a consortium with which to work under this Act, the Secretary shall take into consideration the following:

(1) Any prior experience conducting cybersecurity training and exercises for State and local entities.

(2) Geographic diversity of the members of any such consortium so as to cover different regions throughout the United States.

(e) METRICS.—If the Secretary works with a consortium under subsection (a), the Secretary shall measure the effectiveness of the activities undertaken by the consortium under this Act.

(f) OUTREACH.—The Secretary shall conduct outreach to universities and colleges, including historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, and other minority-serving institutions, regarding opportunities to support efforts to address cybersecurity risks and incidents, including threats of terrorism and acts of terrorism, by working with the Secretary under subsection (a).

(g) TERMINATION.—The authority to carry out this Act shall terminate on the date that is 5 years after the date of enactment of this Act.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 600. A bill to require rulemaking by the Administrator of the Federal Emergency Management Agency to address considerations in evaluating the need for public and individual disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr President, I am proud to introduce the Fairness in Federal Disaster Declarations Act today, together with my colleague Senator DUCKWORTH, to try to bring some transparency and fairness into FEMA's disaster declaration process.

The inspiration for this bill was a tragic one. On February 29, 2012, a category F–4 tornado tore through southeastern Illinois, causing major damage in the towns of Harrisburg and Ridgway. Eight people in Harrisburg died in that event and 15 people were killed in total. Winds reached 175 miles per hour. It is not too much of a stretch to say these two small towns were almost wiped off the map.

And just last week, on February 28, 2017, another tragedy struck the small towns of Ottawa and Naplate after a category F–3 tornado tore through North Central Illinois. Two people in Ottawa died in last week's storm and at least 50 homes were damaged or destroyed.

Requests for Federal assistance after a disaster are made by the Governor of each State based on State emergency management damage assessments. In the case of the Harrisburg and Ridgway tornado, the Governor's request for a Federal emergency declaration for individual assistance was denied, as was the State's appeal of that decision. With that denial, individuals whose homes or properties were damaged were precluded from direct Federal help.

When I asked FEMA why it denied the Governor's request, I was told that the disaster did not meet or exceed the State's per capita figure. Currently, FEMA multiplies the number of people in a State by $1.43 to determine a threshold of the amount of damage a State would incur to be considered for Federal assistance. In Illinois, that figure is more than $18 million. In other words, because Illinois is a highly populous State, it is presumed it can absorb the costs of cleanup and recovery from disasters up to more than $18 million.

From 2002 to 2012, Illinois was denied Federal disaster assistance seven times. Texas was denied 13 times. Florida was denied Federal disaster assistance eight times during that period, and California, New Jersey, and New York were each denied four times.

FEMA's formula does not work for large, populous States, particularly those with a concentrated urban area, like Illinois.

Illinois ran into this issue again in November 2013 when tornadoes swept through the State. That time, six people were killed and whole neighborhoods were nearly destroyed. The cities of Washington, Gifford, and New Minden, Illinois, experienced some of the worst tornado damage I have ever seen. Their infrastructure was decimated, but because Illinois did not meet one of FEMA's criteria, we were denied Federal public assistance.

In the case of last week's tornado in Ottawa and Naplate, Illinois, may not even be able to request federal help because damage assessments are too low to reach anything close to FEMA's per capita requirement. But for these small towns, covering losses and cleaning up damage of this magnitude can put a real strain on the community.

The Fairness in Federal Disaster Declaration seeks to improve the disaster analysis by assigning a value to each of the factors FEMA must consider when determining whether Federal disaster assistance will be made available. When it comes to individual assistance—funding to help people repair and rebuild their homes—the breakdown would be as follows:

Concentration of damages—the density of damage in an individual community—would be considered 20 percent of the analysis. Trauma—the loss of life and injuries and the disruption of normal community functions—would be 20 percent. Special Populations—including the age and income of the residents, the amount of home ownership, etc.—would comprise 20 percent. Voluntary agency assistance—a consideration of what the volunteer and charitable groups are providing—would make up 5 percent. The amount of Insurance coverage—20 percent. And average amount of individual assistance by State, which includes the per capita analysis, would make up 5 percent of the analysis.

The bill also would add a seventh consideration to FEMA's metrics—the economics of the area, which will receive 10 percent consideration. This includes factors such as the local assessable tax base, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

For Federal public assistance, the breakdown would be similar, with a greater emphasis placed on the localized impacts of the disaster, which would warrant 40 percent of the analysis.

It is reasonable that FEMA should take into consideration the size of the State requesting assistance, but current regulations penalize large States. Assigning values to the factors will help ensure that the damage to a specific community weighs more than a State's population.

Illinois is a geographically large State with a concentrated urban area. And downstate communities are being punished for it.

If the cities of Ottawa and Naplate, Washington and Gifford, and Harrisburg and Ridgway cannot qualify under FEMA's current criteria for Federal assistance, something is wrong. The way FEMA evaluates whether to declare an area Federal disaster is not effective. It is working against small communities in States with large populations.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 600

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Fairness in Federal Disaster Declarations Act of 2017''.

**SEC. 2. REGULATORY ACTION REQUIRED.**

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (in this Act referred to as the ''Administrator'' and ''FEMA'', respectively) shall amend the rules of the Administrator under section 206.48 of title 44, Code of Federal Regulations, as in effect on the date of enactment of this Act, in accordance with the provisions of this Act.

(b) NEW CRITERIA REQUIRED.—The amended rules issued under subsection (a) shall provide for the following:

(1) PUBLIC ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the need for public assistance—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

(i) estimated cost of the assistance, 10 percent;

(ii) localized impacts, 40 percent;

(iii) insurance coverage in force, 10 percent;

(iv) hazard mitigation, 10 percent;

(v) recent multiple disasters, 10 percent;

(vi) programs of other Federal assistance, 10 percent; and

(vii) economic circumstances described in subparagraph (B), 10 percent; and

(B) FEMA shall consider the economic circumstances of—

(i) the local economy of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State; and

(ii) the economy of the State, including factors such as the unemployment rate of the State, as compared to the national unemployment rate.

(2) INDIVIDUAL ASSISTANCE PROGRAM.—Such rules shall provide that, with respect to the evaluation of the severity, magnitude, and impact of the disaster and the evaluation of the need for assistance to individuals—

(A) specific weighted valuations shall be assigned to each criterion, as follows—

(i) concentration of damages, 20 percent;

(ii) trauma, 20 percent;

(iii) special populations, 20 percent;

(iv) voluntary agency assistance, 10 percent;

(v) insurance, 20 percent;

(vi) average amount of individual assistance by State, 5 percent; and

(vii) economic considerations described in subparagraph (B), 5 percent; and

(B) FEMA shall consider the economic circumstances of the affected area, including factors such as the local assessable tax base and local sales tax, the median income as it compares to that of the State, and the poverty rate as it compares to that of the State.

(c) EFFECTIVE DATE.—The amended rules issued under subsection (a) shall apply to

any disaster for which a Governor requested a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and was denied on or after January 1, 2012.

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By Mr. DURBIN (for himself, Mr. WICKER, Mr. REED, Mr. COCHRAN, Mr. MERKLEY, and Mr. BROWN):

S. 601. A bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today, Senator WICKER of Mississippi and I are reintroducing the Senator Paul Simon Study Abroad Program Act. This bill, named for a mentor of mine—the late Senator from Illinois, embodies a vision Paul Simon believed in throughout his life: a vision centered on our country's need for a culturally aware, and globally knowledgeable population and workforce.

Senator Simon saw these characteristics as essential to our country's economy, society, and national security. He believed that by building meaningful relationships with people around the world, America would grow even stronger as a nation. In his words, ''America's incompetence in foreign languages and cultural awareness jeopardizes our Nation's future in global affairs. This lack of global perspective damages America's ability to compete in world markets. The more our country becomes competent in foreign languages and cultures, the more enhanced our foreign policy decisions will become.''

He also believed that to truly be educated, our students needed more than a minimal understanding of the world around them. To be truly educated, they need to immerse themselves in the beliefs, customs, language, and environment of a culture other than their own. I share these beliefs with Senator Simon and many Republicans in this Chamber share them as well.

At a time when there are calls from some to shut out immigrants and refugees and pull away from other parts of the world, these beliefs are more important than ever. We need to continue to give our young people the opportunity to interact with people from all over the world, so they can develop their own informed opinions and beliefs.

Undergraduate study abroad programs are a popular source for this type of engagement. Unfortunately, far too few students take advantage or have the means to take advantage of this opportunity. Annually, less than 2 percent of undergraduate students participate in study abroad.

Those who do study abroad don't reflect the incredible diversity of our postsecondary institutions. Minority students, first-generation college students, community college students, and students with disabilities are significantly underrepresented in the study abroad population. These students miss out on the valuable personal and educational growth that comes from a study abroad experience, including interacting with other cultures, developing foreign language skills, and expanding international knowledge through firsthand experience.

We also know that those who currently study abroad do so mostly in highly developed countries. In fact, over 50 percent of students who study abroad each year do so in Europe. Increasing the diversity of study abroad destinations to include countries in Asia, the Middle East, Africa, South America, and Latin America will help American students develop a global perspective and build the insight and skills needed to better understand the global challenges of the 21st century.

In 2004, Congress took the first step towards expanding study abroad when it authorized the Commission on Abraham Lincoln Study Abroad Fellowship Program to provide recommendations to Congress and the President on expanding study abroad programs.

The Senator Paul Simon Study Abroad Program Act combines the vision of Senator Simon with the recommendations of the Abraham Lincoln Study Abroad Commission. It establishes a competitive grant program for institutions of higher education to encourage the sustainable expansion of study abroad opportunities for students in the United States.

Over the next 10 years, this grant program aims to increase the number of undergraduate students stud g abroad each year to one million students. It also emphasizes increasing opportunities for nontraditional students, minority students, and students with disabilities so that the demographics of students who study abroad more closely reflect the population of current undergraduate students.

This bill also focuses on getting students to study abroad in nontraditional destinations particularly in developing countries. We need to send more students to developing nations because these are the places that America needs to better understand. This legislation takes important steps toward expanding and diversifying participation in study abroad.

Senator WICKER and I are pleased to be joined today in introducing this bill by Senators REED, COCHRAN, MERKLEY, and BROWN. I am also pleased that several organizations have endorsed this bill including the Association of Public and Land-grant Universities, the Association of International Educators, the American Council on Education, the Association of American Universities, and the Hispanic Association of Colleges and Universities.

In today's increasingly interconnected world, study abroad participation is an important element of a meaningful undergraduate education. Expanded access to study abroad opportunities is necessary to prepare the next generation of Americans with the global knowledge and skills needed to succeed. I hope other colleagues will join us in that effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 601

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Senator Paul Simon Study Abroad Program Act of 2017''.

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) To prepare students for success in the modern global economy, opportunities for study abroad should be included as part of a well-rounded education.

(2) Study abroad programs provide students with unparalleled access to international knowledge, an unmatched opportunity to learn foreign languages, and a unique environment for developing cultural understanding, all of which are knowledge and skills needed in today's global economy.

(3) Less than 2 percent of all enrolled postsecondary students in the United States study abroad for credit in any given year, and minority students, first generation college students, community college students, and students with disabilities are significantly underrepresented in study abroad participation.

(4) Congress authorized the establishment of the Commission on the Abraham Lincoln Study Abroad Fellowship Program pursuant to section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (division H of Public Law 108–199). Pursuant to its mandate, the Lincoln Commission submitted to Congress and the President a report of its recommendations for greatly expanding the opportunity for students at institutions of higher education in the United States to study abroad, with special emphasis on studying in developing nations.

(5) According to the Lincoln Commission, ''[e]xperience shows that leadership from administrators and faculty will drive the number of study abroad participants higher and improve the quality of programs. Such leadership is the only way that study abroad will become an integral part of the undergraduate experience.''. A competitive grant program is necessary to encourage and support such leadership.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to ensure that significantly more students have access to quality study abroad opportunities;

(2) to ensure that the diversity of students studying abroad reflects the diversity of students and institutions of higher education in the United States;

(3) to encourage greater diversity in study abroad destinations by increasing the portion of study abroad that takes place in nontraditional study abroad destinations, especially in developing countries; and

(4) to encourage a greater commitment by institutions of higher education to expand study abroad opportunities.

**SEC. 4. SENATOR PAUL SIMON STUDY ABROAD PROGRAM.**

Section 741 of the Higher Education Act of 1965 (20 U.S.C. 1138) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (12) and (13) as paragraphs (13) and (14), respectively; and

(B) by inserting after paragraph (11) the following:

''(12) awarding grants under the Senator Paul Simon Study Abroad Program described in subsection (g);''; and

(2) by adding at the end the following:

''(g) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a).

''(B) NATIONAL OF THE UNITED STATES.—The term 'national of the United States' means a national of the United States or an alien lawfully admitted for permanent residence (as those terms are defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

''(C) NONTRADITIONAL STUDY ABROAD DESTINATION.—The term 'nontraditional study abroad destination' means a location that is determined by the Secretary to be a less common destination for students who study abroad.

''(D) STUDENT.—The term 'student' means a national of the United States who is enrolled at an institution of higher education located within the United States.

''(E) STUDY ABROAD.—The term 'study abroad' means an educational program of study, work, research, internship, or combination thereof that is conducted outside the United States and that carries academic credit.

''(2) SENATOR PAUL SIMON STUDY ABROAD PROGRAM.—

''(A) ESTABLISHMENT.—There is established in the Department a program to be called the 'Senator Paul Simon Study Abroad Program'.

''(B) OBJECTIVES.—The objectives of the program established under subparagraph (A) are, that not later than 10 years after the date of enactment of the Senator Paul Simon Study Abroad Program Act of 2017—

''(i) not less than 1,000,000 undergraduate students will study abroad annually;

''(ii) the demographics of study abroad participation will reflect the demographics of the United States undergraduate population by increasing the participation of underrepresented groups; and

''(iii) an increasing portion of study abroad will take place in nontraditional study abroad destinations, with a substantial portion of such increases in developing countries.

''(C) COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION.—In order to accomplish the objectives set forth in subparagraph (B), the Secretary shall award grants on a competitive basis to institutions of higher education, individually or in a consortium, based on applications by the institutions that—

''(i) set forth detailed plans for using grant funds to further such objectives;

''(ii) include an institutional commitment to expanding access to study abroad;

''(iii) include plans for evaluating progress made in increasing access to study abroad;

''(iv) describe how increases in study abroad participation achieved through the grant will be sustained in subsequent years; and

''(v) demonstrate that the programs have established health and safety guidelines and procedures.

''(D) NONGOVERNMENTAL INSTITUTIONS.—Consortia of institutions of higher education applying for grants described in subparagraph (C) may include nongovernmental institutions that provide and promote study abroad opportunities for students.

''(E) COMMISSION ON THE ABRAHAM LINCOLN STUDY ABROAD FELLOWSHIP PROGRAM.—In administering the program, the Secretary shall take fully into account the recommendations of the Commission on the Abraham Lincoln Study Abroad Fellowship Program, established pursuant to section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (division H of Public Law 108–199).

''(F) CONSULTATION.—In carrying out this paragraph, the Secretary shall consult with representatives of diverse institutions of higher education, educational policy organizations, and others with appropriate expertise.

''(3) ANNUAL REPORT.—Not later than December 31 of each year following the date of enactment of the Senator Paul Simon Study Abroad Program Act of 2017, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report on the implementation of this subsection during the prior fiscal year.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2018 and each subsequent fiscal year.''.

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By Ms. COLLINS (for herself and Mr. CARPER):

S. 602. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to introduce the Fire Sprinkler Incentive Act. I am pleased to be joined by my colleague from Delaware, Senator CARPER, in introducing this bipartisan bill.

In the United States, the annual cost of fires is enormous. In 2015, according to the National Fire Protection Association (NFPA), fires resulted in approximately $14 billion in direct property loss. In addition, more than 3,000 civilians were killed and more than 15,000 people were injured in fires. The NFPA also reports that a fire department responded to a structure fire every 63 seconds.

These statistics are of particular concern in Maine, which has some of the oldest housing stock in the country and which has experienced deadly apartment building fires. In 2014, an apartment fire resulted in the deaths of six people—Maine's deadliest fire in nearly four decades.

Historically, Maine has also seen commercial property damaged by fires. In fact, much of the construction in the historic areas of Portland was done following a devastating fire in 1866. This fire destroyed a third of the city, including most of Portland's commercial buildings, many of its churches, and countless homes.

The NFPA reports that when fire sprinklers are present during a large fire, they are effective 96 percent of the time, saving billions of dollars in property damage but more importantly, thousands of lives. Our bill would encourage commercial building owners to invest in fire safety upgrades. While building codes require sprinklers in new commercial buildings, a great number of structures across the U.S. were built and put in service before sprinklers were required.

Small business building owners, however, may find it difficult to fund retrofit sprinklers. To help these owners, our bill would provide two tax incentives to encourage them to make this lifesaving investment.

Currently, commercial building owners must depreciate fire sprinkler retrofits over a lengthy 39-year period. The period for residential buildings is 7½ years. This bill reclassifies fire sprinkler retrofits as 15-year depreciable property, thus allowing building owners to write off their costs more quickly. The bill also provides an option for certain small businesses to deduct the cost of the fire system upgrades immediately under Section 179 of the tax code. Together, these proposals will provide a strong incentive for building owners to install fire sprinkler systems.

This bill was originally drafted in response to the deadly nightclub fire in West Warwick, RI, in 2003, which killed a staggering 100 people. That building did not have a fire sprinkler system. Let us work together to lessen the chances of another tragedy like this one. I invite my colleagues to join Senator CARPER and me in support of this bipartisan, common sense legislation.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the letter of support was ordered to be printed in the RECORD, as follows:

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS,
*Fairfax, VA, March 6, 2017.*

Hon. SUSAN COLLINS,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR COLLINS: On behalf of the more than 12,000 chief fire and emergency service officers of the International Association of Fire Chiefs (IAFC), thank you for introducing the Fire Sprinkler Incentive Act (FSIA). The IAFC appreciates your leadership in creating an incentive for property owners to retrofit their properties with automatic fire sprinkler systems. If passed, the FSIA will be an important tool to save lives in the future.

Fires continue to be a devastating problem in Maine and across the United States. According to the National Fire Protection Association (NFPA), in 2015 alone, there were more than 1.3 million fires in the United States which resulted in nearly 3,300 civilian deaths, 15,700 civilian injuries, and $14.3 billion in property damage. Additionally, the U.S. Fire Administration reports that the relative risk of fire death in Maine is 1.5 times higher than the U.S. average. Fire sprinkler systems play a crucial role by significantly increasing the chances of surviving a fire and reducing property damages. The NFPA found that a fire sprinkler system decreases the likelihood of dying in a fire by 83%, reduces property damage by 74%, and confines a fire to its room of origin in 95% of instances. Incentivizing fire sprinkler systems simply makes sense from both life safety and public policy perspectives.

Despite the clear benefits of fire sprinkler systems, the current tax code fails to incentivize these lifesaving systems. Your legislation would fix this oversight by classifying fire sprinkler systems as Section 179 expenses and allowing property owners to deduct the cost of retrofitting their buildings. Additionally, the FSIA will allow high-rise building owners to depreciate the costs of these systems much faster than the current tax code allows. The FSIA provides a real incentive for building owners to protect not only their properties but the lives of those people inside them.

Thank you again for your strong support for the fire and emergency service. The IAFC looks forward to continuing to work with you to protect communities across Maine and the entire United States.

Sincerely,

FIRE CHIEF JOHN D. SINCLAIR,
*President and Chairman of the Board.*

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By Mr. DAINES (for himself and Mr. TESTER):

S. 605. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects; to the Committee on Environment and Public Works.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the Litigation Relief for Forest Management Projects Act be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 605

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Litigation Relief for Forest Management Projects Act''.

**SEC. 2. FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING ACT OF 1974.**

(a) CONSULTATION REGARDING LAND MANAGEMENT PLANS.—Section 6(d) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(d)) is amended—

(1) by striking ''(d) The Secretary'' and inserting the following:

''(d) PUBLIC PARTICIPATION AND CONSULTATION.—

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) NO ADDITIONAL CONSULTATION REQUIRED AFTER APPROVAL OF LAND MANAGEMENT PLANS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not be required to engage in consultation under this subsection or any other provision of law (including section 7 of Public Law 93–205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)) with respect to—

''(i) the listing of a species as threatened or endangered, or a designation of critical habitat pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), if a land management plan has been adopted by the Secretary as of the date of listing or designation; or

''(ii) any provision of a land management plan adopted as described in clause (i).

''(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects any applicable requirement of the Secretary to consult with the head of any other Federal department or agency—

''(i) regarding any project to implement a land management plan, including a project carried out, or proposed to be carried out, in an area designated as critical habitat pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.); or

''(ii) with respect to the development of a modification to a land management plan that would result in a significant change (within the meaning of subsection (f)(4)) in the land management plan.''.

(b) DEFINITION OF SECRETARY; CONFORMING AMENDMENTS.—

(1) DEFINITION OF SECRETARY.—Section 3(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1601(a)) is amended, in the first sentence of the matter preceding paragraph (1), by inserting ''(referred to in this Act as the 'Secretary')'' after ''Secretary of Agriculture''.

(2) CONFORMING AMENDMENTS.—The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) is amended, in sections 4 through 9, 12, 13, and 15, by striking ''Secretary of Agriculture'' each place it appears and inserting ''Secretary''.

**SEC. 3. FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976.**

Section 202(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(f)) is amended—

(1) by striking ''(f) The Secretary'' and inserting the following:

''(f) PUBLIC INVOLVEMENT.—

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) NO ADDITIONAL CONSULTATION REQUIRED AFTER APPROVAL OF LAND USE PLANS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not be required to engage in consultation under this subsection or any other provision of law (including section 7 of Public Law 93–205 (16 U.S.C. 1536) and section 402.16 of title 50, Code of Federal Regulations (or a successor regulation)), with respect to—

''(i) the listing of a species as threatened or endangered, or a designation of critical habitat, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.), if a land use plan has been adopted by the Secretary as of the date of listing or designation; or

''(ii) any provision of a land use plan adopted as described in clause (i).

''(B) EFFECT OF PARAGRAPH.—

''(i) DEFINITION OF SIGNIFICANT CHANGE.—In this subparagraph, the term 'significant change' means a significant change within the meaning of section 219.13(b)(3) of title 36, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph), except that—

''(I) any reference contained in that section to a land management plan shall be deemed to be a reference to a land use plan;

''(II) any reference contained in that section to the Forest Service shall be deemed to be a reference to the Bureau of Land Management; and

''(III) any reference contained in that section to the National Forest Management Act of 1976 (Public Law 94–588; 90 Stat. 2949) shall be deemed to be a reference to this Act.

''(ii) EFFECT.—Nothing in this paragraph affects any applicable requirement of the Secretary to consult with the head of any other Federal department or agency—

''(I) regarding a project carried out, or proposed to be carried out, with respect to a species listed as threatened or endangered, or in an area designated as critical habitat, pursuant to Public Law 93–205 (16 U.S.C. 1531 et seq.); or

''(II) with respect to the development of a new land use plan or the revision of or other significant change to an existing land use plan.''.

## SUBMITTED RESOLUTIONS

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## SENATE RESOLUTION 85—CALLING ON THE GOVERNMENT OF IRAN TO FULFILL REPEATED PROMISES OF ASSISTANCE IN THE CASE OF ROBERT LEVINSON, THE LONGEST HELD UNITED STATES CIVILIAN IN OUR NATION'S HISTORY

Mr. NELSON (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 85

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation (FBI), a resident of Coral Springs, Florida, the husband of Christine Levinson, father of their seven children, and grandfather of their six grandchildren;

Whereas Robert Levinson traveled from Dubai, United Arab Emirates, to Kish Island, Iran, on March 8, 2007;

Whereas, after traveling to Kish Island and checking into the Hotel Maryam, Robert Levinson disappeared on March 9, 2007;

Whereas, in December 2007, Robert Levinson's wife, Christine, traveled to Kish Island to retrace Mr. Levinson's steps and met with officials of the Government of Iran who pledged to help in the investigation;

Whereas for 10 years, the United States Government has continually pressed the Government of Iran to provide any information on the whereabouts of Robert Levinson and to help ensure his prompt and safe return to his family;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007;

Whereas, in November 2010, the Levinson family received a video of Mr. Levinson in captivity, representing the first proof of life since his disappearance and providing some initial indications that he was being held somewhere in southwest Asia;

Whereas, in April 2011, the Levinson family received a series of pictures of Mr. Levinson, which provided further indications that he was being held somewhere in southwest Asia;

Whereas Secretary of State John Kerry stated on August 28, 2013, ''The United States respectfully asks the Government of the Islamic Republic of Iran to work cooperatively with us in our efforts to help U.S. citizen Robert Levinson.'';

Whereas, on September 28, 2013, during the first direct phone conversation between the heads of governments of the United States and Iran since 1979, President Barack Obama raised the case of Robert Levinson to President of Iran Hassan Rouhani and urged the President of Iran to help locate Mr. Levinson and reunite him with his family;

Whereas, on August 29, 2014, Secretary of State Kerry again stated that the United States ''respectfully request[s] the Government of the Islamic Republic of Iran work cooperatively with us to find Mr. Levinson and bring him home'';

Whereas, on January 16, 2016, the Government of Iran released five United States citizens detained in Iran;

Whereas, on January 17, 2016, President Obama stated that ''even as we rejoice in the safe return of others, we will never forget about Bob,'' referring to Robert Levinson, and that ''each and every day but especially today our hearts are with the Levinson family and we will never rest until their family is whole again'';

Whereas, on January 19, 2016, White House Press Secretary Josh Earnest stated that the United States Government had ''secured a commitment from the Iranians to use the channel that has now been opened to secure the release of those individuals that we know were being held by Iran . . . to try and gather information about Mr. Levinson's possible whereabouts'';

Whereas the Government of Iran's most recent commitment to assist in and the diplomatic channel dedicated to locating and returning Bob Levinson have not yielded any meaningful results;

Whereas, on November 23, 2016, the United Nations Working Group on Arbitrary Detention (UNWGAD) issued Opinion No. 50/2016, concerning Robert Levinson in which the UNWGAD found Iran responsible for the arbitrary detention of Mr. Levinson;

Whereas, on November 26, 2013, Mr. Levinson became the longest held United States civilian in our Nation's history; and

Whereas the Federal Bureau of Investigation continues to offer a $5,000,000 reward for information leading to Mr. Levinson's safe return: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that March 9, 2017, marks 10 years since the disappearance of Robert Levinson from Kish Island, Iran;

(2) recognizes that Robert Levinson is the longest held United States civilian in our Nation's history;

(3) notes that repeated pledges by officials of the Government of Iran to provide their Government's assistance in the case of Robert Levinson have not led to any meaningful progress in locating or returning Robert Levinson;

(4) urges the Government of Iran to take meaningful steps towards fulfilling its repeated promises to assist in locating and returning Robert Levinson, including immediately providing all available information from all entities of the Government of Iran regarding the disappearance of Robert Levinson to the United States Government;

(5) urges the President and the allies of the United States to continue to press the Government of Iran at every opportunity to locate and return Robert Levinson, notwithstanding ongoing and serious disagreements the United States Government has with the Government of Iran on a broad array of issues, including Iran's ballistic missile program, sponsorship of international terrorism, and human rights abuses;

(6) notes that in addition to these other serious issues, further delay in locating and returning Robert Levinson remains a significant obstacle to improving United States-Iran relations; and

(7) expresses sympathy to the family of Robert Levinson for their anguish and expresses hope that their ordeal can be brought to an end in the near future.

## SENATE RESOLUTION 86—RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS AND ALUMNI TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mr. COONS (for himself, Mr. COCHRAN, Mrs. SHAHEEN, Mr. WICKER, Mr. CARPER, Mr. BOOZMAN, Mr. BENNET, Mr. DURBIN, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. HASSAN, Mr. WYDEN, Mr. HEINRICH, Ms. DUCKWORTH, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. REED, Ms. WARREN, Mr. PETERS, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. MCCAIN, Mr. MORAN, Mr. BLUNT, Mr. MANCHIN, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 86

Whereas, since its inception in 1994, the AmeriCorps national service program has proven to be a highly effective way to engage the people of the United States in meeting a wide range of local and national needs and promote the ethics of service and volunteerism;

Whereas, since 1994, more than 1,000,000 individuals have taken the AmeriCorps pledge to ''get things done for America'' by becoming AmeriCorps members;

Whereas, each year, AmeriCorps, in coordination with State service commissions, provides opportunities for approximately 80,000 individuals across the United States to give back in an intensive way to communities, States, and the United States;

Whereas AmeriCorps members have served more than 1,400,000,000 hours nationwide, helping to—

(1) improve the lives of the most vulnerable people of the United States;

(2) protect the environment;

(3) contribute to public safety;

(4) respond to disasters; and

(5) strengthen the educational system of the United States;

Whereas, since 1994, more than $8,700,000,000 in AmeriCorps funds have been invested in nonprofit, community, educational, and faith-based groups and those funds leverage hundreds of millions of dollars in outside funding and in-kind donations each year;

Whereas, in 2016, AmeriCorps members recruited and supervised more than 2,300,000 community volunteers, demonstrating the value of AmeriCorps as a powerful force for encouraging people to become involved in volunteering and community service;

Whereas, in 2016, AmeriCorps members served at approximately 21,000 locations across the United States, including at nonprofit organizations, schools, and faith-based and community organizations;

Whereas AmeriCorps National Civilian Community Corps campuses in Mississippi, Maryland, Iowa, California, and Colorado strengthen communities and develop future leaders through team-based service;

Whereas AmeriCorps members nationwide, in return for the service of those members, have earned more than $3,300,000,000 to use to further their own educational advancement at colleges and universities across the United States;

Whereas AmeriCorps members, after their terms of service with AmeriCorps end, have been more likely to remain engaged in their communities as volunteers, teachers, and nonprofit professionals than the average individual;

Whereas, in 2009, Congress passed the bipartisan Serve America Act (Public Law 111–13; 123 Stat. 1460), which authorized the expansion of national service, expanded opportunities to serve, increased efficiency and accountability, and strengthened the capacity of organizations and communities to solve problems;

Whereas national service programs have engaged millions of people in the United States in results-driven service in the most vulnerable communities of the United States, providing hope and help to individuals with economic and social needs;

Whereas national service and volunteerism demonstrate the best of the spirit of the United States, with people turning toward problems and working together to find community solutions; and

Whereas AmeriCorps Week, observed in 2017 from March 4 through March 11, is an appropriate time for the people of the United States to salute current and former AmeriCorps members for their positive impact on the lives of people in the United States, to thank the community partners of AmeriCorps for making the program possible, and to encourage more people in the United States to become involved in service and volunteering: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages the people of the United States to join in a national effort to—

(A) salute AmeriCorps members and alumni; and

(B) raise awareness about the importance of national and community service;

(2) acknowledges the significant accomplishments of the members, alumni, and community partners of AmeriCorps;

(3) recognizes the important contributions made by AmeriCorps members and alumni to the lives of the people of the United States; and

(4) encourages individuals of all ages to consider opportunities to serve in AmeriCorps.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

ARMED SERVICE COMMITTEE

The Committee on Armed Services is authorized to meet March 9, 2017 at 9:30 a.m.

BANKING, HOUSING, AND URBAN AFFAIRS COMMITTEE

The Committee on Banking, Housing, and Urban Affairs is authorized to meet March 9, 2017, at 10 a.m.

FOREIGN RELATIONS COMMITTEE

The Committee on Foreign Relations is authorized to meet March 9, 2017 at 10:30 a.m.

FOREIGN RELATIONS COMMITTEE

The Committee on Foreign Relations is authorized to meet March 9, 2017 at 10:45 a.m., to hold a hearing entitled ''Resolving the Conflict in Yemen: U.S. Interests, Risks, and Policy.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet on March 9, 2017 at 10 a.m., in SD–226 of the Dirksen Senate Office Building.

VETERANS' AFFAIRS COMMITTEE

The Committee on Veterans' Affairs is authorized to meet March 9, 2017, at 10 a.m., in room SD–G50 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet March 9, 2017, at 2 p.m., in room SH–219 of the Senate Hart Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet March 9, 2017, at 2 p.m., in room SH–219 of the Senate Hart Office Building.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet March 9, 2017, at 10 a.m. to conduct a hearing entitled, ''Agency Use of Science in the Rulemaking Process: Proposals for Improving Transparency and Accountability.''

## APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 114–323, appoints the following individual to serve as a member of the Western Hemisphere Drug Policy Commission: Ambassador Cliff Sobel of Florida.

The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appoints the following individuals to serve as members of the United States Senate Caucus on International Narcotics Control: the Honorable CHUCK GRASSLEY of Iowa, Chairman, the Honorable JOHN CORNYN of Texas, the Honorable JAMES RISCH of Idaho, and the Honorable DAVID PERDUE of Georgia.

The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 106–79, appoints the following Senator to the Dwight D. Eisenhower. Memorial Commission: the Honorable THAD COCHRAN of Mississippi.

## RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS AND ALUMNI TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 86.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 86) recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## ORDERS FOR MONDAY, MARCH 13, 2017

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, March 13; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADJOURNMENT UNTIL MONDAY, MARCH 13, 2017, AT 2 P.M.

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:46 p.m., adjourned until Monday, March 13, 2017, at 2 p.m.

## NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

SONNY PERDUE, OF GEORGIA, TO BE SECRETARY OF AGRICULTURE.

THE JUDICIARY

JONATHAN H. PITTMAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JEANETTE J. CLARK, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. SEAN L. MURPHY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. TONY D. BAUERNFEIND
BRIG. GEN. MARK D. CAMERER
BRIG. GEN. WILLIAM T. COOLEY
BRIG. GEN. STEPHEN L. DAVIS
BRIG. GEN. PATRICK J. DOHERTY
BRIG. GEN. JAMES A. JACOBSON
BRIG. GEN. DAVID A. KRUMM
BRIG. GEN. JEFFREY A. KRUSE
BRIG. GEN. MICHAEL A. MINIHAN
BRIG. GEN. SHAUN Q. MORRIS
BRIG. GEN. THOMAS E MURPHY
BRIG. GEN. DAVID S. NAHOM
BRIG. GEN. STEPHEN W. OLIVER, JR.
BRIG. GEN. JOHN M. PLETCHER
BRIG. GEN. SCOTT L. PLEUS
BRIG. GEN. JOHN T. RAUCH, JR.
BRIG. GEN. BRIAN S. ROBINSON
BRIG. GEN. RICKY N. RUPP
BRIG. GEN. DIRK D. SMITH
BRIG. GEN. KIRK W. SMITH
BRIG. GEN. PAUL W. TIBBETS IV
BRIG. GEN. ANDREW J. TOTH
BRIG. GEN. MARK E. WEATHERINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. DAGVIN R. M. ANDERSON
COL. JASON R. ARMAGOST
COL. CRAIG R. BAKER
COL. GENTRY W. BOSWELL
COL. RICHARD H. BOUTWELL
COL. RYAN L. BRITTON
COL. BRIAN R. BRUCKBAUER
COL. LANCE R. BUNCH
COL. TODD D. CANTERBURY
COL. CASE A. CUNNINGHAM
COL. EVAN C. DERTIEN
COL. MICHAEL L. DOWNS
COL. TROY E. DUNN
COL. DEREK C. FRANCE
COL. DAVID M. GAEDECKE
COL. PHILIP A. GARRANT
COL. ANTHONY W. GENATEMPO
COL. KRISTIN E. GOODWIN
COL. CHRISTOPHER J. IRELAND
COL. DAVID R. IVERSON
COL. JOEL D. JACKSON
COL. RONALD E. JOLLY, SR.
COL. MICHAEL G. KOSCHESKI
COL. DAVID J. KUMASHIRO
COL. JOHN D. LAMONTAGNE
COL. LEAH G. LAUDERBACK
COL. CHARLES B. MCDANIEL
COL. JOHN C. MILLARD
COL. ALBERT G. MILLER
COL. JOHN J. NICHOLS
COL. ROBERT G. NOVOTNY
COL. LANSING R. PILCH
COL. DONNA D. SHIPTON
COL. JEREMY T. SLOANE
COL. PHILLIP A. STEWART
COL. DAVID H. TABOR

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. PAUL A. OSTROWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. SEAN B. MACFARLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. FRANCISCO A. ESPAILLAT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major general*

BRIG. GEN. RONALD J. PLACE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. JEFFREY A. ROACH

# EXTENSIONS OF REMARKS

## THE BATTLE OF OKINAWA—TYPHOON OF STEEL

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. POE of Texas. Mr. Speaker, ''America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand.'' These words were spoken by President Harry S. Truman after World War II. Our courageous sailors and soldiers defended freedom and liberty on two fronts. In the Pacific, they fought on the beaches, ultimately leading to the surrender of the Japanese. Saipan, Iwo Jima, and Okinawa were the names of some of the island hopping invasion sites. Those of the Greatest Generation proved that when the peace of our nation is threatened, our people will stand up and fight. Tom Morgan is just one of those patriots in the Greatest Generation who answered the call to fight for our great nation.

When World War II began, Tom was just 21 years old. He answered his country's call to duty and joined the U.S. Marines. He fought in all three Pacific battles: Guadalcanal, Saipan, and Okinawa. He contracted malaria on his first tour in 1942 at Guadalcanal. That didn't stop him. In the summer of 1944, he fought in the Battle of Saipan. On July 8, 1944, the stars and stripes were raised in victory over Saipan, and Tom survived his second major battle. Less than a year later, Tom was sent to fight in the Battle of Okinawa, or the Typhoon of Steel as it was called because of intense shelling and gunfire. On that Easter morning, 1945, Tom and his fellow Marines were on board a transport ship eating breakfast in the mess hall when an enemy kamikaze plane hit their ship. Water began filling up in the mess hall, and Tom thought he was going to meet his maker. However, the man above had different plans for Tom. The hatch flew open, and Tom was able to escape. Tom and his fellow Marines sailed on to Okinawa where they stormed the beaches in the final island battle of the Pacific. The bloodiest battle yet was the largest amphibious invasion of World War II: over 60,000 soldiers invaded the island. Tom was one of them in the battle that thundered on for 82 days.

Japanese General Ushijima Mitsuru and his soldiers had created a series of defense lines across the island which provided them with a strong resistance against our soldiers. The Japanese Army staked most of their defenses at Shuri Castle. The Tenth Army battled for nearly two months, inch by inch, hill by hill, to take Shuri Castle.

The Marines seized the Capitol, Naha, and then the Japanese retreated to the southern tip of the island where many surrendered or committed suicide. The generals on both sides died in the course of battle: General Simon Buckner by a sniper and General Ushijima Mitsuru by suicide. On June 22, 1945, the United States flag was raised in victory over Okinawa. Our soldiers would not have experienced land victory, if not for our sailor's water victory over Japanese kamikaze aircraft.

One of my favorite battleships, the USS *Texas*, participated in the invasion of Okinawa. She provided initial support, gunfire support, and fended off aerial assaults for nearly two months. Suicide plane attacks by the Japanese army and navy were relentless against our navy fleet. The gunfire at Okinawa was the most extensive in history, 26 ships were sunk and 164 damaged. The Mighty T survived; she was an integral part of the Okinawa victory.

Some today forget the feats of these warriors of World War II. Some never came home. American casualties were the highest experienced in any campaign against the Japanese. More than 49,000 American casualties occurred, including 12,000 deaths. They were great Americans and we should always remember them.

My friend Tom's story is not over; he survived his third battle at Okinawa. He remained in the Marines until 1946 and continued his service in the Reserves. He even served three months in the Korean War. At 96 years young, Tom is the oldest active lawman in the State of Texas.

President Ronald Reagan best summed up soldiers like Tom when he said, ''Some people spend an entire lifetime wondering if they made a difference. The Marines don't have that problem.''

And that's just the way it is.

## DUNK CITY

### HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in honor of Florida Gulf Coast University with their return into March Madness for a second year in a row. The Eagles scored a big win against the No. 3 seed North Florida on Sunday. This is the third NCAA Tournament appearance for the Eagles since 2013.

I applaud the Florida Gulf Coast Eagles and Head Coach Dooley for their victory. There is a reason why FCGU is known as Dunk City—now go shut down more shot clocks.

## PERSONAL EXPLANATION

### HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. JORDAN. Mr. Speaker, I was attending a family funeral in Ohio on March 2, and was absent from the House floor during that day's five roll call votes on H.R. 1004.

Had I been present, I would have voted against both Jackson Lee amendments, in favor of the Farenthold amendment, against the motion to recommit, and in favor of final passage.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

SPEECH OF

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 8, 2017*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 1301, the Department of Defense Appropriations Act of 2017.

Although this bill should have been finished five months ago, I appreciate and respect the bicameral and bipartisan collaboration which ultimately made this bill possible. For years I have advocated for and helped secure funding in the NDAA for Historically Black Colleges & Universities (HBCUs). I am therefore delighted to see that the final bill provides $33,572,000 for HBCUs, a $10 million increase over President Obama's budget request. The funds made available through a competitive grant program will be used to improve research initiatives and science, technology, engineering, and mathematics (STEM) education at HBCUs.

My home state of Georgia hosts countless servicemen and women, who are our military's most important asset. These servicemembers are located on multiple military bases across Georgia, including but not limited to Fort Benning (home to over 120,000 active duty personnel and other personnel), Dobbins Air Reserve Base (through which more than 14,000 flight operations take place every year), Fort Stewart (home to the 3rd Infantry Division), and Kings Bay Submarine Base (home to the Ballistic Missile nuclear submarines of the US Navy Atlantic Fleet and which plays a key role in our strategic nuclear triad). These and other bases across Georgia are essential to our national security and I've long argued that there should be no additional Base Realignment and Closure (BRAC) rounds for Dobbins and other military bases in my home state. I am grateful to see that the new bill prohibits funding to propose, plan for, or execute a new BRAC round.

This bill will also benefit Georgia's industry. The F–35 Lightning II program provides the US Air Force (USAF), US Navy (USN), US Marine Corps (USMC), and a multitude of key allies with an affordable, fifth generation, stealth strike-fighter. The F–35 program also supports, directly and indirectly, countless of high-skilled jobs across Georgia, including hundreds of jobs at the Marietta plant in Cobb County, Georgia. Last year I supported the FY2017 budget request and urged procuring at a minimum an additional five F–35As and two F–35Cs. Such investments, in my view, are critical to restoring the budget cuts and the

previously planned production ramp rate. I am delighted that this bill appropriates $11 billion (an estimated $1 billion more than requested) for the procurement of 74 new F–35 planes, including 48 F–35s for the USAF, 18 F–35Bs for the USMC, and eight F–35As for the USN. This bill also provides funding for research and development and modifications to existing aircraft. This will help the United States to continue decreasing aircraft flyaway costs and to field capabilities necessary to meet global threats in the 21st century.

Marietta is well-lcnown for being the place where the C–130 Hercules was first designed. Since the C–130 was first produced in Georgia in 1956 it has become our military's primary cargo and personnel transport plane. Over the past six decades more than 2,500 C–130s have been sold in the United States and 60 countries. Various variants of the C–130s are used for many types of missions, including airlift support, Attic ice resupply, medical missions, firefighting, natural disaster relief missions, and humanitarian relief missions in the United States and abroad. One such variant, the C–130J, is the most modem military tactical transport plane in service today, and is used by the USAF, USMC, US Coast Guard (USCG), and 16 international customers. Last year I recommended for the procurement of three additional G–130Js, one USCG HC–130J to continue USCG fleet recapitalization, and supported language directing the USAF to develop a C–130J recapitalization plan for the Air National Guard and Air Force Reserve. This bill appropriates $1.3 billion for 17 C, KC, HC and MC–130J aircraft consistent with my recommendations, supporting jobs and industry in Georgia and contributing to our country's security.

Last year I also supported continued funding for the AH–64 Apache Helicopter and UH–60M Black Hawk Helicopter programs, both of which are important to Georgia's industry. It is great to see that this bill makes $1.1 billion ($330 million above the budget request) for 72 new UH–60M multiuse Black Hawks for the Army and National Guard. The bill also provides over $1 billion of funding for new Apache attack helicopters and upgrades to 52 existing aircraft. The upgrades will include modifications that will protect against friendly-fire incidents, thereby protecting servicemembers that operate these world-class helicopters.

The 116th Air Control Wing, a unit of Georgia's Air National Guard which is stationed at Robins Air Force Base, Georgia, is the only Air National Guard unit that operates the E–8C Joint Surveillance Target Attack Radar System (JSTAR). Last year this Georgia-based unit contributed personnel and resources to assist with debris clearance in the aftermath of Hurricane Matthew. JSTARS are essential for this Georgia-based unit and last year I supported funding recapitalization of the program. I am delighted to see that this bill, in line with the budget request, makes $128,019,000 available for the next generation of JSTARS.

This bill also makes funding available for nationwide defense programs that are critical to our national security. For example, following Russia's annexation of Crimea in March 2014, the FY2015 Defense Authorization prohibited using the Russian-built RD–180 rocket engine except when a waiver is granted on the basis of national security or cost considerations. Russia's interference in our elections in 2016 only increases the importance of decreasing our dependence on that country, especially when it involves issues critical to our national security. It is great to see that this bill appropriates $1.3 billion for the US Air Force's Evolved Expendable Launch Vehicle (EELV) program, which will help xs retire the use of Russian-made engines as quickly as possible.

Last year I also supported President Obama's budget request for a variety of defense programs including the C–5 Galaxy Modernization, CH–53K Heavy Lift Replacement, Combat Rescue Helicopter Program, F–22 Raptor, F–35 Lighting II (Joint Strike Fighter), MH–60R/S Naval Hawk Helicopter Programs, Advanced Pilot Training, and UH–1N Replacement Programs. By and large, this bill funds these programs at or close to the amount in the previous President's budget request.

Mr. Speaker, having previously served on the House Armed Services' Committee and for years pushed for greater investment in HBCUs, I am delighted to see that this bill provides a much higher number than was included in the budget request. I believe that this funding will be well-used and will yield high returns on our investment. I am delighted that military bases in Georgia, which are critical to our national security, are immune from closure, and that this bill continues to provide funding for servicemembers who are based in and programs produced in Georgia, both of which contribute to making our armed forces first-class.

## IN RECOGNITION OF PATROLMAN MILAN BARBER, INDUCTEE TO THE NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

### HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Patrolman Milan Barber of the Minersville, Pennsylvania Police Department. Patrolman Barber will be formally inducted to the National Law Enforcement Officers Memorial in Washington, D.C. on May 13 at the 29th Annual Candlelight Vigil during National Police Week.

A veteran of World War II, Milan served in the Navy before becoming a law enforcement officer. Patrolman Barber served the borough of Minersville in Schuylkill County, Pennsylvania. His watched ended on Friday, June 19, 1970 after he suffered a fatal heart attack while on duty. Patrolman Barber and another officer attempted to apprehend an individual suspected of committing theft of a vehicle. The two officers struggled to contain the suspect as he resisted arrest. During the altercation, Patrolman Barber collapsed abruptly. The subject fled the scene while the other officer tended to Patrolman Barber. The suspect was eventually taken into custody and charged with manslaughter, larceny, and resisting arrest. Patrolman Barber was survived by his wife and four children.

The loss of Patrolman Milan Barber was a great tragedy for the people of Minersville. His sacrifice and the sacrifice of all fallen police officers will not be forgotten. Our nation owes a great debt of gratitude to brave individuals like Patrolman Barber for protecting our communities. May he be remembered by all whose lives he touched and made better as he rests in peace.

## HONORING VAIL TOWN MANAGER STAN ZEMLER

### HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. POLIS. Mr. Speaker, it is with great honor that I rise before this body of Congress and this nation today to recognize Mr. Stan Zemler of Vail, Colorado who is leaving local government after having served the public for over thirty years in the State of Colorado.

Mr. Zemler has served the Town of Vail as Town Manager for the past thirteen years, the City of Boulder as Acting and Deputy City Manager, the Boulder Urban Renewal Authority as Executive Director, as well as the Boulder Chamber of Commerce as CEO, with a career that has produced positive impacts for both residents and visitors of Colorado.

Zemler's leadership is about community partnering and consensus building, an approach that has helped foster public and private relationships in an effort to achieve the best outcomes for the communities he served, including such partnering for the Billion Dollar Economic Renewal effort in Vail, the completion of numerous public safety infrastructure improvements, and the launch of numerous environmental and forest health initiatives.

During his tenure serving local governments, Zemler has worked with various agencies, including both the federal and state government branches, and closely with the U.S. Forest Service and the Colorado Department of Transportation. The collaborative work has enhanced Vail's local community, international guest services and amenities and strengthened its economic position as a sustainable international resort. The outcomes have included federal legislation and cost sharing with the USFS in protecting forest lands surrounding the Vail Valley as well as the implementation of the Interstate 70 Vail Underpass Project, federal-state-municipal-cost-shared project, which benefits many guests and residents of Vail.

Zemler's longstanding commitment to the State of Colorado is represented by his efforts to showcase and protect its natural and beautiful environment and balance that with an economy that supports tourism and recreation in the Rocky Mountains. His support of the Congressional legislation that expanded recreational uses on forest service lands has allowed for the debut of Epic Discovery on Vail Mountain, an offering of enhanced recreational opportunities. And the Vail community's support of an initiative that was developed because of Vail's surrounding public lands was used as the inspiration for declaration of Colorado Public Lands Day to be celebrated on the third Saturday in May. This acknowledged day recognizes the significant contributions that national, state and local public lands within Colorado make to wildlife, recreation, the economy, and to Coloradans' quality of life.

Zemler has also been very active and influential in his roles serving both the 1–70 Coalition and Colorado Association of Ski Towns,

leading these two prominent Colorado organizations that are often heard on topics related to improvements for the 1–70 highway corridor and the future positioning of ski resorts located in municipalities, having served as both Boards' Presidents.

Zemler has been successful in working with his elected officials and community to strategically achieve results that speak to their vision of 1) growing a balanced community; 2) enhancing the town's economy; and 3) elevating the resort experience; all of which have a direct impact on the people who live, work and play in the area, and has resulted in Vail's success in becoming North America's Premier International Mountain Resort Community.

Mr. Speaker, it is with great pride that I rise to pay tribute to Mr. Stan Zemler on behalf of the residents of the 2nd Congressional District and myself. His distinguished service and contributions to the Town of Vail and municipal governments in the State of Colorado will remain his legacy for many years to come.

## INTRODUCTION OF THE DISTRICT OF COLUMBIA PAPERWORK REDUCTION ACT

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Paperwork Reduction Act, to eliminate the wasteful congressional review process for legislation passed by the District of Columbia Council and to align longtime congressional practice and the law. The congressional review process for D.C. bills is almost entirely ignored by Congress, providing it no benefit, but imposes substantial costs, in time and money, on the District. Congress has almost always used the appropriations process rather than the disapproval process to block or nullify D.C.'s legislation, and entirely abandoned the congressional review process as its mechanism for nullifying D.C. legislation 24 years ago, having only used it three times before then. Yet Congress still requires the D.C. Council to use Kafkaesque make-work procedures to comply with the abandoned congressional review process established by the Home Rule Act of 1973.

Our bill would eliminate the congressional review process for legislation passed by the D.C. Council. However, Congress would lose no authority it currently exercises because, even upon enactment of this bill, Congress would retain its authority under clause 17 of section 8 of article I of the U.S. Constitution to amend or overturn any D.C. legislation at any time.

The congressional review process, 30 days for civil bills and 60 days for criminal bills, includes those days when either house of Congress is in session, delaying D.C. bills from becoming law often for many months. The delay forces the D.C. Council to pass most bills several times, using a cumbersome and complicated process to ensure that the operations of this large and rapidly changing city continue uninterrupted, avoiding a lapse of the bill before it becomes final. The congressional calendar means that a 30-day period usually lasts a couple of months and often much longer because of congressional recesses. The congressional review period for a bill that changed the word handicap to disability lasted nine months. The Council estimates that 50 to 65 percent of the bills it passes could be eliminated if the review period did not exist. To ensure that a bill becomes law, the Council often must pass the same legislation in three forms: emergency (in effect for 90 days), temporary (in effect for 225 days) and permanent. Moreover, the Council has to carefully track the days the House and Senate are in session for each D.C. bill it passes to avoid gaps and to determine when the bills have taken effect. The Council estimates that it could save 5,000 employee-hours and 160,000 sheets of paper per two-year Council period if the review period were eliminated. House Majority Leader Kevin McCarthy addressed the issue of saving such resources by eliminating the amount of paperwork sent to Congress when he proposed a cut in the number of reports that federal agencies are required to submit to Congress. Our bill is a perfect candidate because it eliminates a paperwork process that repeats itself without interruption.

My bill would do no more than align the Home Rule Act with congressional practice over the last 24 years. Of the more than 5,000 legislative acts transmitted to Congress since the Home Rule Act, only three resolutions disapproving D.C. legislation have been enacted (in 1979, 1981, and 1991) and two of those mistakenly involved federal interests, one in the Height Act and the other in the location of chanceries. Placing a congressional hold on 5,000 D.C. bills has not only proven unnecessary, but has imposed costs on the D.C. government, residents and businesses. District residents and businesses are also placed on hold because they have no certainty when D.C. bills, from taxes to regulations, will take effect, making it difficult to plan. Instead of using the congressional review process to nullify D.C. legislation, Congress has preferred to use riders to appropriations bills. Therefore, it is particularly unfair to require the D.C. Council to engage in this labor-intensive and costly process. My bill would only eliminate the automatic hold placed on D.C. legislation and the need for the D.C. Council to comply with a process initially created for the convenience of Congress, but that is now rarely used. This bill would promote efficiency and cost savings for Congress, the District, its residents, and businesses without reducing congressional oversight, and would carry out a policy stressed by Congress of eliminating needless paperwork and make-work redundancy.

I urge my colleagues to support this good-government measure.

## PERSONAL EXPLANATION

### HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. JENKINS of Kansas. Mr. Speaker, I was absent for roll call votes 129 through 132 on the evening of March 8, 2017. I would have voted in favor of both votes which would provide for consideration of H.R. 725, the Innocent Party Protection Act. I would have also voted in favor of H. Res. 174 on ordering the previous question and providing for consideration of H.R. 1301, the Department of Defense Appropriations Act of 2017. Lastly, I would have voted against the motion to adjourn.

Had I been present, I would have voted: YEA on Roll Call No. 129, YEA on Roll Call No. 130, YEA on Roll Call No. 131, and NAY on Roll Call No. 132.

## RECOGNIZING MRS. NAOMI COLWELL

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. COFFMAN. Mr. Speaker, I am proud to rise today to recognize the long career and dedicated public service of Mrs. Naomi Colwell, recently selected as the new President and CEO of the Greater Brighton Chamber of Commerce, in Brighton, Colorado.

Naomi is an accomplished executive-level business development professional with over 18 years of chamber of commerce and visitor bureau experience. She has been serving with the Aurora Chamber of Commerce where she successfully ran the Visitors Promotion Advisory Board, and has been responsible for starting 'Our Young Professionals', and 'Women in Business' programs. Her extensive knowledge and background brings essential leadership and guidance to take the Greater Brighton Chamber of Commerce to the next level and to provide the services and programs that will work to assist all of its members.

It is my honor to congratulate Naomi Colwell today, and I take pride in recognizing a great American and public servant.

## TRIBUTE TO MR. MARK S. DAVIS

### HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. ROKITA. Mr. Speaker, I rise today to honor a prominent Hoosier leader and my dear friend, Mr. Mark S. Davis, who passed away on March 4, 2017 surrounded by his loving family.

Mark was born in Kansas City, Missouri before moving to West Lafayette as a child. He graduated from West Lafayette High School and earned his law degree from the Indiana University Robert H. McKinney School of Law. He began his career working in economic development in Indianapolis, Greater Lafayette, and Flint, Michigan before opening law practice in Lafayette.

Mark cared deeply for our community and it showed in what he was able to help the community thrive. He was one of many of a dedicated team to convince Subaru of Indiana Automotive to locate in Tippecanoe County nearly 30 years ago. This effort led to the creation of thousands of jobs and an incredible impact to our economy Mark was a vocal proponent of the Hoosier Heartland Corridor, the 36–mile highway upgrade which has improved access and safety while bolstering economic development in several Central Indiana counties.

Mark was a man of high character and integrity. He had a servant's heart for his fellow

Hoosiers and frequently worked pro bono legal cases for the less fortunate. I never met someone who had anything but positive comments about Mark. He was active in the Rotary Club of Lafayette Indiana and in the Tippecanoe Republican Party, where he served as Party Secretary. Just last summer Mark arranged for me to speak with the Rotary Club where he graciously introduced me before my remarks.

Mark leaves Mary Kay, his beloved wife, four daughters, and eight grandchildren to carry on his legacy of service to fellow Hoosiers. Anyone who knev—him well knows what a great loss his passing is for our community and the State of Indiana. May Mark rest in peace. He will not be forgotten.

## PERSONAL EXPLANATION

### HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. KHANNA. Mr. Speaker, due to a scheduling miscommunication, I missed Roll Call vote 136 in the House yesterday afternoon of Wednesday, March 8th. Had I been present, I would have voted ''no'' on roll call No. 136, H.R. 1301, the Department of Defense Appropriations Act for Fiscal Year 2017.

## PERSONAL EXPLANATION

### HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. JENKINS of Kansas. Mr. Speaker, I was absent for roll call votes 133 through 137 on the evening of March 8, 2017. I would have voted in favor of H. Res. 174 which would provide for consideration of H.R. 1310, the Department of Defense Appropriations Act of 2017. I would have voted against roll call votes 134 and 135 to adjourn. I would have voted in favor of H.R. 1310. Lastly, I would have voted in favor of roll call vote 137 to adjourn.

Had I been present, I would have voted YEA on Roll Call No. 133, NAY on Roll Call No. 134, NAY on Roll Call No. 135, YEA on Roll Call No. 136, and YEA on Roll Call No. 137.

## PERSONAL EXPLANATION

### HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. RUPPERSBERGER. Mr. Speaker, due to my attendance at an event off the Capitol Hill campus, I was unable to make Roll Call vote No. 135. Had I been present, I would have voted Aye.

## RECOGNIZING THE LIBRARIAN OF CONGRESS CARLA HAYDEN

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I want to recognize the historic appointment of Ms. Carla Hayden to the post of Librarian of Congress. This is so significant because although more than eighty percent of librarians nationwide are females, the position of Librarian of Congress has been held exclusively by men, until Carla Hayden was appointed by Barack Obama in 2016.

Carla Hayden was enamored by books and reading from an early age, and began her career as a librarian in Chicago at the Museum of Science and Industry and the Chicago Public Library. It was during her time in Chicago that she met Barack and Michelle Obama.

After her impressive time in Chicago, Ms. Hayden left the windy city to take the position of Director at the Enoch Pratt Free Library, the public library system in Baltimore, Maryland. It was here that Ms. Hayden showed her true leadership as she improved and maintained an enormous public library operation. After the death of Freddie Gray, Ms. Hayden made the difficult decision to keep the Baltimore public libraries open in order to encourage people to use safe spaces and avoid violence. It is strong leadership like this that made her an excellent choice to become Librarian of Congress.

Mr. Speaker, yesterday, we celebrated International Women's Day, and I cannot think of a better way to acknowledge this day than by recognizing Carla Hayden, a pioneering woman of color whose very job will allow stories like hers to be told forever.

## IN MEMORIAM OF LAURA HOGAN

### HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. SINEMA. Mr. Speaker, I rise today to recognize a native Arizonan, a tireless community organizer and a valued member of the Southern Arizona political community. Laura Hogan passed away on February 24 in Tucson, Arizona. Laura was born in the small border town of Douglas, Arizona and she loved rural Arizona. She attended Michigan State University but returned to Arizona after graduation to work with former Superintendent of Public Instruction Carolyn Warner on educational policy and consulting.

Laura's passion was the working families of Arizona. She served as Field Director for the Pima Area Labor Federation, helping to organize and mobilize the labor community in Tucson to support candidates at the local, county, state and federal levels. She took that experience to Arizona List in 2007 where she served as the Political Director since. She simply loved to train and support women in their run for elected office. She has mentored countless young women and helped them plan and achieve their dreams of public service.

Laura was also active in the local Democratic Party, serving as the Chair of Legislative District 30 and a Vice-Chair of the Arizona Democratic Party. She was inducted into the Arizona Democratic Party Hall of Fame in 2016.

I considered Laura a friend and a colleague in the Arizona political community. She was widely respected and admired for her hard work and dedication to her values. She will be greatly missed. I join the Arizona labor community, Democratic Party and Arizona List family in remembering Laura and working to ensure her legacy lives on through our work.

## INTRODUCTION OF SEAT EGRESS IN AIR TRAVEL (SEAT) ACT

### HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. COHEN. Mr. Speaker, today I introduced, along with my colleague Rep. ADAM KINZINGER, the Seat Egress in Air Travel (SEAT) Act, which would direct the Federal Aviation Administration (FAA) to establish minimum seat size standards necessary to ensure the safety and health of airplane passengers. The bill would also require each airline to display the space available (size, width, and distance between rows) for each passenger on the airline website. The bill was introduced in the Senate today by Senator RICHARD BLUMENTHAL, Minority Leader CHUCK SCHUMER and Senators ED MARKEY and BOB MENENDEZ.

Consumers are tired of being squeezed. The average seat distance between rows of seats has dropped from 35 inches before airline deregulation in the 1970s to about 31 inches today. The average width of an airline seat has also shrunk from 18 inches to about 16½.

This isn't just a matter of comfort. It is about safety and health. The FAA requires that planes be capable of rapid evacuation in case of emergency. Furthermore, doctors warn of deep vein thrombosis which can afflict passengers who don't move their legs enough on longer flights.

Moreover, average seat sizes have been shrinking while the average size of Americans has been growing. According to the Centers for Disease Control and Prevention, the average man in 1960 weighed 166 pounds, and the average woman weighed 140 pounds. Now the average man is 196 pounds and the average woman is 166 pounds, and both are about an inch taller.

This just doesn't make any sense.

I hope that Congress will quickly act on this bill to direct the FAA to establish minimum seat size standards to protect the safety and health of airline passengers.

## INTRODUCTION OF NO TRUMP ACT

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. BLUMENAUER. Mr. Speaker, the presidency should not be a get-rich-quick scheme. No president or presidential family should be able to exploit the Oval Office to get rich or become even wealthier.

The emoluments clause of the Constitution expressly forbids the President from accepting payments from foreign governments which, in my opinion, happens whenever an agent of a foreign government stays in any president's hotel. While this constitutional protection may have been enough in the past, we are now in uncharted waters. Hardly a week goes by without reports of taxpayer-funded trips by the President or his family to one of his family-owned properties throughout the world. These excesses have surpassed anything that this nation has seen before, and this unprecedented abuse of taxpayer dollars demands an additional ethical check on the office of the presidency.

That's why I'm introducing the No TRUMP Act, the No Taxpayer Revenue Used to Monetize the Presidency Act. This legislation would prohibit the use of taxpayer funds to pay for food, lodging, or other expenses at hotels owned or operated by a president or his or her relatives, ensuring that there is no personal financial incentive for the current or any future president and family to stay or hold official meetings or events at certain properties across the United States or abroad. In the interest of safety, the bill would allow the Secret Service to continue guarding First Family residences—Trump Tower in New York and Mar-a-Lago in Palm Beach, FL.

With so many unresolved concerns about White House business conflicts, this is a responsible step to make sure that the public doesn't subsidize the President's private interests.

## APPRECIATING PERRY KIMBALL

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, on March 1, 2017, Lexington County, South Carolina lost a favorite son with the death of Perry Kimball. He was one of the community's most dynamic civic leaders.

I was grateful to serve as a pallbearer at Pilgrim Lutheran Church on March 4th with Solicitor Donnie Myers, Paul Scott, H.D. Carter, Councilman Jerry Howard, Danny Kimball, Wayne Kimball, Jim Walsh, Walter Hudson, and Scott Adams. Honorary Pallbearers were John Bozard, William "Bill" Jordan, David Scott Kimball, Pete Oswald, James Shealy, Charles Sinclair, and Jerry Wilkie.

The Officiants were Presiding Pastor Glenn Boland, Organist Sandra Lindler, and Lector Peter Reinhart.

The following thoughtful obituary was included in the service program.

James Perry Kimball, 78, of Lexington, entered the Church Triumphant on Ash Wednesday, March 1, 2017. Born in Norfolk, Virginia, on May 29, 1938, he was the son and only child of the late James Rackley Kimball and Dorothy Perry Kimball. Last year he celebrated his 50th Wedding Anniversary with the love of his life, Sheri Rene Snyder Kimball. A lifelong Gamecock fan, Perry was a Gamecock Club Lifetime Donor with a particular passion for USC football, baseball, and men's and women's basketball. Whether he was in the stands or in his lounge chair, he was a loyal Gamecock fan through and through from the 1950s to the present.

After a move to Lake Murray in the early 1970s, he embraced life as a Lexingtonian, dedicated to serving the community with his unmistakable charm and humor. Perry was a member of Pilgrim Lutheran Church, where he was an usher, taught Sunday School and Bible Study, and faithfully served on many committees. He is a Paul Harris Fellow with the Rotary Club of Lexington where he served as past president and had perfect attendance for over 40 consecutive years. Perry remained active in the community by serving on the boards of the Lexington Gamecock Club, the Lexington Chamber of Commerce, the Lexington County Republican Party, and the Country Club of Lexington. He shared his talents on the stage, as well as set design, with the Lexington County Arts Association.

Perry's fondest memories of his childhood were playing on Burney Drive in the Shandon area of Columbia. He was a graduate of Dreher High School, Class of 1956, where he played varsity basketball and was a member of the 1956 Dreher Championship Team. After high school, he attended the University of South Carolina and joined the Sigma Alpha Epsilon Fraternity. Following USC, he served his country in the Army and thereafter, as a first lieutenant in the South Carolina National Guard for ten years.

Mr. Kimball worked in his father's business at Home Heating and Air Conditioning in Columbia and then ventured out on his own to establish Kimball's Commercial Mechanical Contracting in Lexington. As a self-employed businessman he embodied an incredible work ethic which could be seen by many. He worked above and beyond what was expected of him as he served people in his chosen field.

He retired in 2002 intent on having endless tee times and spoiling their five grandchildren. He always had a friendly smile and happy lifestyle even though he had health challenges. The Kimball family is grateful for three physicians, Dr. Horace (Butch) Bledsoe, Dr. C.W. Hendricks, and Dr. Scott Petit, whose medical expertise granted him additional time to impart his faith and humor and to be a great example to others with physical challenges.

He is survived by his wife, Sheri Snyder Kimball, three daughters, Teri Lee Kimball Callen of Columbia, Heather Kimball Ramsey (Jason) of Davidson, NC, Lexanne Kimball Graves (Scott) of Blythewood, and five grandchildren, Jacob Kimball Ramsey, Ava Perry Callen, Jordan Kennedy Ramsey, Anna Leigh Graves, and Wesley Scott Graves, Jr.; and an aunt, uncle, and many cousins and nieces. He was predeceased by a grandchild, Doren Rackley Ramsey.

## IN RECOGNITION OF REBEKAH FRIEND

### HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. SINEMA. Mr. Speaker, I rise today to recognize a community leader, a fighter for working families, and a tireless advocate for women. Rebekah Friend served as the Executive Director and Secretary/Treasurer of the Arizona AFL–CIO since 2002, representing 180,000 union members through over 200 local union affiliates in Arizona. She is retiring this year and I want to personally thank her for her work and dedication to Arizona's labor community.

She was the first woman to be elected president of the Arizona AFL–CIO in 2002 and the state federation's first female Secretary/Treasurer in 2005.

I consider Rebekah a friend and a trusted advisor on any and all issues affecting Arizona workers. Since being elected to the State Legislature in 2004 I have counted on Rebekah to always tell me how policies will impact her members without pulling punches. Her integrity and honesty are just some of the reasons she has been a respected labor leader for so many years.

For over 37 years, Rebekah has been a member of the International Brotherhood of Electrical Workers (IBEW) and a committed advocate for working families. Throughout her career, she has played an integral role in developing legislation to improve the lives of working people in Arizona. She served as the first President of the Coalition for Labor Union Women in Maricopa County, lobbying state legislators on pay equity bills affecting female workers. Rebekah successfully chaired the Minimum Wage Coalition, which brought Proposition 202 to the ballot in 2006 and raised the minimum wage along with a cost-of-living adjustment every year.

Rebekah has received numerous awards of distinction for her public service. In 2004, Rebekah was awarded the YWCA's Woman of the Year, their highest award for a civic leader. In 2016, Rebekah was awarded the Pima Area Labor Federation (PALE) Community Partnership Award. She has also received the Arizona Capitol Times Leader of the Year in Public Policy Award (2007). Recently Rebekah received the AFL–CIO 2017 MLK Unsung Hero Award for the work done on the BASTA Arpaio campaign.

Rebekah has also served on numerous boards and commissions, including the Governor's Council on Workforce Policy, the Arizona Skill Standards Commission and the Governor's Prisoner Re-Entry Task Force. Rebekah is also a co-founder and board member of Emerge Arizona, which helps to identify and train Democratic women to run for elected office. Rebekah has also volunteered her time to assist local food banks and has done extensive mentoring with young women.

I congratulate Rebekah on an incredible career in the service of working families and communities across Arizona. I wish her a well-deserved retirement filled with friends, family and relaxation.

## INTRODUCTION OF THE RAISE IT ACT

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. BLUMENAUER. Mr. Speaker, America is literally falling apart and falling behind. Every day, we see new stories of deficient bridges, ballooning maintenance backlogs for aging transit systems, urban areas choking on congestion, or rising roadway fatalities. Earlier today, the American Society of Civil Engineers gave America's infrastructure an overall grade of D+, unchanged from 2013. Roads received a D, while transit came in at a D−.

There is universal agreement that we must address these growing infrastructure challenges. The only question is how to pay for it. That's why I'm introducing the Raise And

Index to Sustainably and Efficiently Invest In Transportation (RAISE IT) Act.

The federal gas tax, unchanged since 1993, has lost more than 40 percent of its purchasing power due to inflation and rising fuel efficiency. Stuck at 18.4 cents a gallon for 24 years, the gas tax has led to more than a decade of uncertainty in the federal transportation program, a perennially insolvent Highway Trust Fund, and more than $140 billion borrowed from the general Treasury fund to maintain current, inadequate surface transportation funding levels. The Highway Trust Fund will run a $15 billion deficit this year and will be bankrupt by 2021.

Raising the gas tax, supported by a broad coalition of stakeholders from the AFL–CIO to the U.S. Chamber of Commerce, AAA, truckers, and transit, would fix the Highway Trust Fund and provide certainty to commuters, businesses, and local governments that count on a strong, continuing federal partnership. The RAISE IT Act would index the federal gas and diesel taxes to inflation and phase in a 15 cent a gallon increase over three years, generating $210 billion over the next ten years.

Congress should follow the lead of the eight Republican-led states that raised gas taxes in the last two years. Countless editorial boards, transportation and economic policy experts, and blue ribbon panels like Simpson-Bowles Commission, all call for an increase in the federal gas tax. In the words of President Reagan, who more than doubled the gas tax in 1983, ''the cost to average motorist will be small, but the benefit to our transportation system will be immense.''

## ADVANCED CONCEPTS AND SIMULATION PROGRAM IN THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

### HON. DARREN SOTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. SOTO. Mr. Speaker, I want to make a statement regarding the passage of H.R. 1301, the Department of Defense Appropriations Act, 2017. In the 114th Congress, an amendment was offered and accepted by voice vote to H.R. 5293, the Department of Defense Appropriations Act, 2017, that moved $5 million from the Operation and Maintenance, Defense—Wide account to the Research, Development, Test and Evaluation, Army account's Advanced Concepts and Simulation program. H.R. 1301, maintained a $3 million increase to the Research, Development, Test and Evaluation, Army account's Advanced Concepts and Simulation program.

These funds allow universities to focus on advancing component technologies required for real time modeling and simulation training. A promising use of this program is the development of a more effective protocol for treating combat-related post-traumatic stress disorder for active duty, retired, and discharged personnel and their families. The use of modeling and simulation technology has enabled new innovative and immersive therapies to be developed, which can extend trauma management therapy protocol.

I support the use of modeling and simulation and thank my colleagues for their shared support.

## TRIBUTE TO NEW YORK STATE ASSEMBLYMAN MICHAEL DEN DEKKER

### HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. CROWLEY. Mr. Speaker, I rise today to give tribute to a colleague and dear friend, New York State Assemblyman Michael Den Dekker. I have long admired his devotion to improving the lives of others. I know I am not alone in this admiration. Everyone who has worked with Mike has boundless respect for him, and truly enjoys knowing him. He is cheerful, he is kind, and he is a friend to all he meets.

Mike and I go back decades. On September 12, 2001, I went down to Ground Zero for the first time. The past twenty four hours had been some of the most harrowing of my life. As I stepped out of the car, the first thing I laid my eyes on was Mike Den Dekker. He was there, broom in hand, cleaning up. No other story more clearly shows what kind of man Mike is. He does not shy away from hard work, he does not waver in his devotion to others. I have nothing but the deepest respect for my longtime friend and colleague.

Of course, Mike is no stranger to tough work. He worked his way up in the sanitation department, eventually becoming supervisor, and going on to serve the city as a public information officer at the Office of Emergency Management and a facilities manager for the New York City Council, until he ran for State Assembly in 2008. Since then, he has fought tirelessly to improve the lives of New Yorkers and to create a state where everyone has the chance to work hard and succeed.

His work is being recognized on March 13, 2017, as he receives the Charles Stewart Parnell award from the American Irish Legislators. Mr. Speaker, I wish to congratulate him and declare my joy in his receiving of this award. The award is given each year to an Irish legislator in commemoration of Charles Stewart Parnell, the uncrowned king of Ireland, a brave soul who fought for the people. Mike is unwavering in his devotion to others, and has spent his whole life making his community safer, cleaner, healthier, and happier. It is only natural he should receive such an award to commemorate a lifetime of work. As we Irish say, luck may rise with you, Maith thú, and Go n-eirí an t-ádh leat, Michael.

## RECOGNIZING JOHN CREIGHTON ON HIS RETIREMENT

### HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize John Creighton on the occasion of his retirement after 33 years of dedicated public service as a Deputy District Attorney for Alameda County.

John's life of service began in 1971, when he enlisted in the U.S. Army. He served in the Intelligence Corps, operating out of the U.S. Army headquarters in Vietnam providing counterintelligence work. In 1973, he worked in Psychological Operations at JFK Special Forces Center at Ft. Bragg, North Carolina, eventually being honorably discharged with the rank of Sergeant in 1974.

In 1979, he enrolled at the University of California at Berkeley, and graduated with a Bachelor of Arts in Political Science. John would go on to receive his Juris Doctorate from the University of San Francisco School of Law in 1984. During his time in college, John worked as a union laborer, truck driver, auto mechanic and paralegal.

In 1984, John was hired by the Alameda County District Attorney's (DA) Office in Oakland. John's distinguished career spanned over three decades, and he prosecuted hundreds of cases, including murder, domestic violence, sexual assault and major narcotics trafficking.

In the DA's office, John was tasked as a Gang Violence Prosecutor, handling complex gang-related felonies at all stages of prosecution, as well as serving as a DA representative to the nationally recognized Gang Intervention Program. John received the Neighborhood Champion Award in 2014 for his work.

John not only served his community in the courtroom, but also devotes his time as a soccer referee with the Jack London Youth Soccer League. Additionally, John previously served as a member on the Board of Directors for both Planned Parenthood Golden Gate and Golden Gate Community Health.

John has fostered lasting, productive partnerships in the East Bay and laid the foundation for others to succeed. His legacy is one of selfless service and tireless justice and compassion, leaving our community and nation safer for all of us. I wish to congratulate John on a long and distinguished career, and I wish him health and happiness in retirement.

## PERSONAL EXPLANATION

### HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on Wednesday, March 8, 2017. I had intended to vote No on Roll Call vote 129, No on vote 130, No on vote 131, Yes on vote 132, No on vote 133, Yes on vote 134, Yes on vote 135, Yes on vote 136, Yes on vote 137.

## RECOGNIZING LYNN BROWN

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge Veteran Services Officer Lynn P. Brown for being selected as Employee of the Quarter for the entire State of Illinois Department of Veterans' Affairs Agency. VSO Brown has been with the agency for nearly 26 years.

VSO Lynn Brown grew up in a family of eight boys in Effingham, Illinois. He graduated from Effingham High School in 1962 and joined the Army in 1966. After training at Fort Leonard Wood, Missouri, and Fort Campbell, Kentucky, Lynn was stationed overseas at

Pleiku, South Vietnam, with the 1st Signal Battalion as a personnel specialist and rose to the rank of Spec/5. He received an Honorable Discharge in 1969. Spec/5 Brown was awarded the Army Commendation Medal, National Defense Service Medal, Vietnam Campaign Medal, Vietnam Service Medal with 2 Campaign Stars, Republic of Vietnam Gallantry Cross with Palm, and the Republic of Vietnam Gallantry Cross Unit Citation.

During his career as a VSO, Lynn Brown has served a large section of South Central Illinois veterans. His professional career has been described as defining what a Veteran Services Officer should be, and his private life has become an extension with the same devotion. He continues to serve veterans and their families long after the workday is over, on holidays, and on weekends. He has even built over a hundred shadow boxes for medals and awards for fellow veterans and their families, at no cost to the recipients.

I offer my congratulations to VSO Brown for his outstanding accomplishments while serving veterans. We need more men and women like him.

## RECOGNIZING THE HOLT FAMILY

### HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mrs. BLACKBURN. Mr. Speaker, family is the greatest gift life can offer to us. There is no relationship more special or more enduring than the bonds that are found within family. Family is truly the tie that binds us together. Both the friendship that is shared and struggles overcome are a testament of what is possible when a family is united and dedicated to loving God and one another. Because of their friendship, work, endurance, and giving spirit, it is an honor to recognize the Holt family for their efforts in the pioneering of Williamson County. Their story is a story of faith and family and it is an honor for those of us gathered this evening to share this story.

The presence of the Holt family in this area can be traced back to the 1840's, beginning with Lucretia and Henry Holt. With each trial that came along; with slavery and segregation, each member of the Holt family chose kindness and compassion and in the midst of injustice, they chose forgiveness. Their heritage will forever be memorialized by the naming of Holt Road off of Nolensville Pike and Stanfield Road in Brentwood, Tennessee.

There is much wisdom we can all glean from the example set by the Holt family, who created a generational legacy of love that will be remembered for decades to come. Their story is a story of a life well lived. I ask my colleagues to join me in honoring this family for their influence and impact on Williamson County, Tennessee.

## HONORING U.S. NAVY SEABEE'S ON THEIR 25TH ANNIVERSARY

### HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. PALAZZO. Mr. Speaker, I rise today to honor the U.S. Navy Construction Battalion, also known as the Seabees, and congratulate them on their 75th Anniversary. In the opening weeks of World War II, the U.S. Navy began to organize unique and specialized construction battalions to support the building and maintaining of infrastructure in remote island locations throughout the Pacific. On March 5, 1942, these construction battalions were named Seabees by the Department of the Navy and served a vital role in meeting the logistical and strategical challenges the United States faced in the war effort.

Over the past 75 years, the Seabees have met continued challenges in strengthening our national security in times of war and peace. They have been responsible for building and maintaining numerous military support facilities throughout the world, such as military bases, as well as hundreds of miles of airstrips, roadways and bridges. From the beginning of the Second World War to our present day military operations, the Seabees have performed up to the highest standard and have done so while demonstrating outstanding courage, bravery and determination. They have even been immortalized on the silver screen in the 1944 film, The Fighting Seabees starring John Wayne.

In honoring the Seabees, let us remember the tremendous sacrifices that these brave men and women, as well as their families, have made in dedicated service to their country for the past 75 years. As a U.S. Marine and current member of the Mississippi National Guard, I can personally attest to how important their service and sacrifice is to the success of our military.

I am proud to represent Mississippi's 4th district, home to the Naval Construction Battalion Center, where in just the past year, thousands of Seabees, sailors, airmen and soldiers have received training. We congratulate the U.S. Navy Seabees on their 75th Anniversary and reaffirm our commitment to their service.

## NATIONAL LOOK UP DAY FOR ADAM DAVID NUSZEN

### HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. ZELDIN. Mr. Speaker, I rise today to honor the life of Adam David Nuszen, who tragically lost his life after struggling with mental illness and addiction.

Adam, who grew up in my congressional district, had a bright future ahead of him and was taken too soon from his family and community. According to his mother, Linda, ''Adam was the protector of our family. The oldest of three, his arms were always around his siblings and his loyalty was surpassed by his quiet quest for justice. He marveled at the night sky and couldn't resist sharing his enthusiasm with his friends and family. He taught us about the wonder and grandeur of the planets, galaxies and beyond. He was a gifted musician, a poet, a writer, a philosopher and an inventor.''

At 22, Adam was suddenly stricken with psychosis and diagnosed with schizophrenia. For ten years,he was in and out of hospitals attempting to balance his disease with normalcy. His illness slowly evolved into the dangerous and devastating world of addiction. Tragically, in November of 2015, Adam lost his life to an overdose while in rehab.

While in rehab, Linda explained to me that despite his dark times, Adam always managed to remind his loved ones to ''look ups'' or you will miss all that there is in the world. Sadly, their last conversation before he passed, carried this same sentiment and tone. The words look up remain with her today as an important reminder of Adam's character and spirit.

In honor of Adam David Nuszen, I would like to support Linda's request in declaring Adam's Birthday, March 12, National Look Up Day. This is the perfect opportunity to raise awareness and show support for those struggling with addiction and those we have lost to this disease. As members of Congress, we must all continue to support legislation that addresses the rise in drug and alcohol addiction to stop the tragic loss of life that is devastating our communities and loved ones across the country.

## PERSONAL EXPLANATION

### HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. SWALWELL of California. Mr. Speaker, regarding the question considered yesterday, Wednesday, March 8, on passage of H.R. 1301, the Department of Defense Appropriations Act, 2017, Roll Call Number 136, I am recorded as voting Yes. I intended to vote No.

## IN RECOGNITION OF WENDELL YOUNG'S SERVICE TO THE UNITED STATES

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. HUDSON. Mr. Speaker, I rise today to recognize Mr. Wendell Young for his service as a noncommissioned officer in the United States Army during World War II. Mr. Young fought across Europe as part of the 2nd Cavahy Regiment's reconnaissance squadron, earning a host of awards and commendations including two Silver Stars.

A native of Rutherford County, North Carolina, Mr. Young was drafted into the Army in 1943. A year later he was deployed to the European Theatre where he served under the legendary General Patton. As the war raged on, Mr. Young saw action throughout France, Germany, Belgium, and Czechoslovakia. He played a part in the Allied victory at the Battle of the Bulge and led an effort to liberate a prisoner of war camp that was housing a large number of both American and Russian troops. During this mission, he earned both of his Silver Stars by exemplifying tremendous personal courage and selflessness to accomplish his objective. In the citation for one of those awards, he was acknowledged for his daring and heroism as an outstanding noncommissioned officer. Furthermore, he was presented the Russian Medal of Courage, making him one of the only Americans to ever receive this honor.

Following the war, Mr. Young returned to North Carolina where he started a family and began a career at the N.C. Cooperative Extension. After 31 years with the Cooperative Extension, he retired and now works part-time for the U.S. Department of Agriculture. Mr. Young is a living example of the American spirit, a man who answered the call of our nation in its time of need. As one of the dwindling number of WWII veterans, his story is one that needs to be cherished and shared so that we may continue to learn from their example. Mr. Young personifies both courage and patriotism and there is no doubt that he is part of the Greatest Generation, It is my hope that Mr. Young will continue to share his story so that we will never forget the lessons of his sacrifice. I wish Mr. Young and his entire family well, and thank him for his service.

Mr. Speaker, please join me today in recognizing the incredible legacy of Mr. Wendell Young.

## RECOGNIZING WORLD KIDNEY DAY

### HON. ROBIN L. KELLY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Ms. KELLY of Illinois. Mr. Speaker, today, we recognize World Kidney Day and the impact of Chronic Kidney Disease, or CKD, across the globe. In the U.S., 26 million adults have kidney disease and 1-in-3 is at risk. We have to reverse this trend.

African Americans, in particular, suffer from kidney failure at more than three times the rate of Caucasians and constitute more than 32 percent of all patients receiving dialysis for kidney failure. A study says that Hispanics develop kidney failure at a rate of 2:1 compared to Whites. Improving care earlier to stop or slow progression of the disease, and improving access to kidney transplantation for those who do experience kidney failure, are successful tools in order to assist millions of Americans impacted by CKD.

Over 675,000 Americans have irreversible kidney failure, or end-stage renal disease, and need dialysis or a kidney transplant to survive. CKD shortens life expectancy by 5–11 years and more than 95,000 people died of kidney disease last year. Those with diabetes, high blood pressure, a family history of kidney failure, aged 60 or older, or from minority populations are at the greatest risk.

In order to avoid an irreversible stage, there are two simple, quick, and inexpensive tests for chronic kidney disease. If caught early, diet, exercise, and medications can help slow or even reverse some of the damage caused by kidney disease, allowing patients a better life.

I had the opportunity to meet with kidney patients, including Leilah Sampson from Chicago, who is a volunteer with the National Kidney Foundation. When she was 19, Leilah was studying to be a nurse at the historic Tuskegee University when she discovered that she had kidney disease. It quickly progressed to kidney failure, and has since caused significant physical and mental health issues.

How many lives can be improved or saved by a simple set of tests that costs $80 to $140? More needs to be done in order to promote testing by physicians and reward them for identifying and managing this chronic disease. In addition, empowering patients through education can help allow them to make informed decisions about all available treatments, further improving their lives.

As Chairwoman of the Congressional Black Caucus Health Braintrust, I am committed to working with Congress and stakeholders in the public health and research communities to promote strategies to fight kidney disease.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

SPEECH OF

### HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 8, 2017*

Mr. DEFAZIO. Mr. Speaker, I will vote against H.R. 1301, the Fiscal Year 2017 Department of Defense (DOD) Appropriations Act.

The legislation includes several provisions that I strongly support, including giving service men and women a well-deserved raise of 2.1 percent. The bill provides much-needed funding to address traumatic brain injuries, PTSD, sexual assault and suicide prevention, and vital cancer research. It also includes funding for Ukraine and Eastern Europe security initiatives to counter Russia's heightened military provocations and annexation of Crimea.

However, H.R. 1301 funds provisions I do not support, including $61.8 billion to the Overseas Contingency Operations (OCO) fund, an account which is not subject to the budgetary caps imposed on all other discretionary programs, and is used as a slush fund by the Pentagon.

Unlike every other federal agency, the DOD has been unable to complete a financial audit to inform taxpayers how the biggest bureaucracy in the federal government spends their money. In fact, a shocking report released last December exposed $125 billion in administrative waste that the Pentagon tried to bury from being viewed by the public. I refuse to support increased bureaucratic waste at the expense of American taxpayers. A more accountable and transparent department would ensure more taxpayer money is directed towards the needs of our troops and the benefits they deserve rather than buying unnecessary weapon systems, sustaining a Cold War era military force, and giving the President a blank check to fund wars Congress hasn't authorized.

Along with bloated defense spending, the bill prohibits the closing of Guantanamo Bay, which costs more than $100 million each year and has been used as a top recruiting tool by terrorists. Frankly, the prison at Guantanamo Bay has been a black eye for the United States. It has eroded relationships with our allies, undermined U.S. missions abroad, and put U.S. citizens and our troops at risk of retaliation in places where the Geneva Conventions are not followed.

Congress can make responsible cuts to the DOD budget without jeopardizing the safety of our troops or undermining our national security.

## HONORING THE RETIREMENT OF CAPTAIN DALE HARRIS, JAG CORPS, U.S. NAVY (RET)

### HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. NOLAN. Mr. Speaker, I rise today to honor Captain Dale Harris, JAGC, USN (ret), who recently retired after 23 years of combined active duty and reserve service to our nation with the United States Navy.

Captain Harris was born in Two Harbors, Minnesota and raised in nearby Duluth. After graduating first in his class at East High School in 1985, he received a Bachelor's of Mechanical Engineering degree from the University of Minnesota in 1990. He subsequently earned his J.D. from Hamline University School of Law, cum laude, in 1993 and began his Navy career.

Captain Harris served on active duty in the Navy JAG Corps from 1993–2000. He was an honors graduate of the Naval Justice School and winner of the school's trial advocacy competition. He spent three years assigned to Everett and Bremerton, Washington, serving stints both as a defense attorney and as a prosecutor, where he handled more than fifty courts-martial and forty administrative discharge boards, quickly gaining notoriety as one of the Navy's best young litigators. Captain Harris then worked as appellate defense counsel at the Navy-Marine Corps Appellate Review Activity in Washington, D.C. In that role, he filed briefs in over one hundred cases, and argued twenty-five cases before military appellate courts. Following his release from active duty in 2000, Captain Harris continued his military service in the Navy Reserve, including distinguished tours as a judge on the Navy-Marine Corps Court of Criminal Appeals and as the Commanding Officer of the Navy and Marine Corps Appellate Review Activity support unit. Over the past 23 years, he earned a well-deserved reputation as one of the preeminent uniformed lawyers of his generation in the area of appellate litigation. For his outstanding service to our Nation, Captain Harris earned numerous personal awards, including four Meritorious Service Medals, three Navy-Marine Corps Commendation Medals, and three Navy-Marine Corps Achievement Medals.

Captain Harris returned home to Northeastern Minnesota in 2000 and served the citizens of Minnesota's Eighth District as an attorney in private practice and later as an Assistant St. Louis County Attorney, where he handled state and federal civil litigation, and provided counsel for the sheriff and Arrowhead Regional Corrections. He continued his appellate work by arguing cases at the Minnesota Court of Appeals, Minnesota Supreme Court, and the U.S. Court of Appeals for the Eighth Circuit. Since 2010, Captain Harris has served his community as a state District Court Judge chambered in Duluth, establishing himself as a fair-minded and extremely capable jurist. The integrity, work ethic and leadership skills that were the hallmark of his military career will continue to define his ongoing public service as a judge.

I commend Captain Harris for his commitment to our country and the sacrifices he and his family made on its behalf. On the occasion

of his retirement from the United States Navy, I thank him, his wife, and their four children for their honorable service to our nation and wish them fair winds and following seas as Captain Harris concludes this portion of his distinguished legal career.

## HONORING THE REVEREND MICHAEL L. COOPER-WHITE OF PENNSYLVANIA

### HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. PERRY. Mr. Speaker, today I honor my constituent, the Reverend Michael L. Cooper-White, upon the occasion of his retirement as the 12th president of the Lutheran Theological Seminary at Gettysburg, and more than 40 years of service to the Church.

Rev. Cooper-White has served as President of the Lutheran Theological Seminary at Gettysburg since 2000, where he led efforts to: revise curriculum to strengthen an integrative approach to theological education; strengthen the seminary's fiscal health; and forge the pathway of the forthcoming consolidation with the Lutheran Theological Seminary at Philadelphia to form the United Lutheran Seminary. Rev. Cooper-White also served in leadership positions with the Evangelical Lutheran Church in America, the Eastern Cluster of Lutheran Seminaries, the Washington Theological Consortium and myriad local boards. His ministry has spanned multiple continents and he's served the Church as pastor, teacher, author and engaged citizen.

Reverend Cooper-White's dedication has touched the lives of countless people and challenged all with whom he served to be the best. His legacy of service is commendable.

On behalf of Pennsylvania's Fourth Congressional District, I commend and congratulate Reverend Michael L. Cooper-White upon his retirement after many years of service to the Lutheran Theological Seminary at Gettysburg and our community.

## FIRST SPECIAL SERVICE FORCE

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, on March 3, 2017, I was grateful to present a Congressional Gold Medal to Joseph Moore of Lexington, South Carolina for his service with the First Special Service Force, a U.S.—Canadian unit of volunteers, who initiated the liberation of Europe at Anzio, Italy, in January 1944.

During the presentation with his family, he presented me with an extraordinary prayer which was read by Eugene Gutierrez at the 2015 Reunion of the First Special Service Force. The following prayer was found on the body of an American soldier killed in action on the beachhead at Anzio:

Look God, I have never spoken to you.
But now I want to say, ''How do you do?''
You see, God, they told me you didn't exist.
And like a fool, I believed all this.
Last night from a shell hole, I saw your sky
And figured then they had told me a lie.
Had I taken time to see things you made,
I'd have known they weren't calling a spade a spade.
I wonder, God, if you'd shake my hand?
Somehow, I feel you will understand.
Funny, I had to come to see your face.
Well, I guess there isn't much more to say.
But, I'm sure glad, God, I met you today.
I guess the zero hour will soon be here,
But I'm not afraid since I know you are near.
There's the signal . . . I've got to go.
I like you lots, I want you to know.
Look now, this will be a horrible fight.
Who knows, I may come to your house tonight.
Though I wasn't friendly to you before,
I wonder, God, if you'd wait at your door?
Look, I'm crying . . . me, shedding tears.
I wish I had known you these many years.
Well, I have to go now, God, goodbye . . .
Strange, since I met you, I'm not afraid to die.

## RECOGNIZING THE 29TH ANNIVERSARY OF MASSACRES AGAINST ARMENIANS IN SUMGAIT

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. COSTA. Mr. Speaker, I rise today to recognize the twenty-ninth anniversary of the pogroms against people of Armenian descent in Sumgait, Azerbaijan.

In late February of 1988 the Armenian people of Nagomo Karabakh, more commonly known by its people and descendants as Artsakh, rose up in peaceful protest to demand their right to self-determination. This courageous call for equality and human dignity was met with murderous riots beginning on February 27, 1988 which lasted for three days. Scores of Armenians were killed, hundreds were wounded, and thousands were forced to leave their homes and livelihoods behind.

Undeterred by this oppression, the Armenian community and its dedication to democratic self-determination sparked a movement that finally helped bring an end to the dictatorship of the Soviet Union. The courage demonstrated by the people of Artsakh in demanding their rights even after all of the adversity is admirable and should never be forgotten.

Sadly however, authoritarian leaders in Azerbaijan continue to this day to aggravate efforts by the Organization for Security Co-operation in Europe Minsk Group to achieve lasting peace in Artsakh and the surrounding region. On February 25, 2017, just a few days ago, the ceasefire along the line of contact was breached resulting in several casualties. This aggression is completely unacceptable and further hurts efforts to achieve a peaceful resolution to this conflict.

On behalf of the thousands of Armenian Americans living in my congressional district I ask my colleagues to stand with the people of Artsakh in remembering the lives lost during this tragic conflict. May their memory serve as a reminder for each and every one of us to continue advocating for human rights and democratic freedoms around the world.

## THE KHOJALY TRAGEDY

### HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. GENE GREEN of Texas. Mr. Speaker, on February 25 and 26, 1992, twenty-five years ago, the Armenian military forces occupied the town of Khojaly and destroyed hundreds of innocent lives. Those that weren't killed were wounded or taken hostage while their city was under siege.

Khojaly was recognized as occupied territory from 1988 until 1994 when a ceasefire was signed. The aggression and occupation by Armenian forces has been condemned by the United Nations Security Council.

More than two decades have passed since those horrific events and little attention has been paid to those killed during the attacks and the struggles of displaced person.

According to Human Rights Watch and other international observers the massacre was committed by Armenian troops, reportedly with the help of the former Soviet 366th Motor Rifle Regiment. Human Rights Watch described the Khojaly Massacre as ''the largest massacre to date in the conflict'' over Nagorno-Karabakh. In a 1992 report, they stated that Armenian forces and the 366th ''deliberately disregarded this customary law restraint on attacks.''

Every year, more and more organizations and countries recognize the terrible tragedy perpetrated against Azerbaijani citizens in Khojaly that night. Each year, we need to recognize that without constant reminders and vigilance, violence can be perpetrated against innocent people. We need to stand up and remember that it is the right of all people to coexist peacefully without fear of brutality.

Azerbaijan has been a strong strategic partner and friend of the United States. The tragedy of Khojaly was a war crime which cannot be ignored.

Let's stand with the people of Azerbaijan as they commemorate this tragedy and urge world leaders to help bring a peaceful solution to the occupation of these lands.

## RECOGNIZING NACDS RxIMPACT DAY

### HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. CARTER of Georgia. Mr. Speaker, I rise to recognize the Ninth Annual NACDS RxIMPACT Day on Capitol Hill. This is a special day where we will have the chance to recognize pharmacy's many contributions to the American healthcare system.

Organized by the National Association of Chain Drug Stores (NACDS), this event will take place next week, on March 14–15, 2017. More than 400 individuals from the pharmacy community, including practicing pharmacists, pharmacy school faculty and students, state pharmacy association representatives and pharmacy company leaders, will visit us here on Capitol Hill. Advocates from 47 states will share their views with us about the importance of supporting their access agenda, legislative

priorities that will ensure that our constituents will continue to have access to more than 40,000 community and neighborhood pharmacies across the country and be better able to utilize pharmacists to improve healthcare quality while reducing the cost of care.

Patients have always relied on their local pharmacist to meet their healthcare needs and we as policymakers know our local pharmacists to be important community leaders. They are trusted, highly accessible healthcare providers deeply committed to providing high quality, convenient, and efficient healthcare services. A recent national survey showed that 65 percent of the public view pharmacists as individuals who provide credible advice to reduce health costs and in 2016, pharmacists again ranked second in Gallup's Honesty and Ethics survey.

As demand for healthcare services continues to grow, pharmacists have expanded their role in healthcare delivery, partnering with physicians, nurses and other healthcare providers to meet their patients' needs. Innovative services provided by pharmacists do even more to improve overall patient health and wellness.

Pharmacists are highly valued by those that rely on them most, those in rural and underserved areas, as well as older Americans, and those struggling to manage chronic diseases. Pharmacy services improve patients' quality of life as well as healthcare affordability. By helping patients take their medications effectively and providing preventive services, pharmacists help avoid more costly forms of care. Pharmacists also help patients identify strategies to save money, such as through better understanding of their pharmacy benefits, using generic medications, and obtaining 90-day supplies of prescription drugs from local pharmacies. Pharmacists are the nation's most accessible healthcare providers. In many communities, especially in rural areas, the local pharmacist is a patient's most direct link to healthcare. In fact, 91 percent of Americans reside within five miles of a community pharmacy. Utilizing their specialized education, pharmacists play a major role in medication therapy management, disease-state management, immunizations, healthcare screenings, and other healthcare services designed to improve patient health and reduce overall healthcare costs. Pharmacists are also expanding their role into new models of care based on quality of services and outcomes, such as accountable care organizations (AC0s) and medical homes.

The pharmacy advocates of NACDS RxIMPACT Day on Capitol Hill will be promoting an access agenda. They know that we face difficult debates about the future of healthcare and the pharmacy community wishes to work with us to help in the effort to develop comprehensive and consistent approaches to public policy that put pharmacy's value to work for patients and payers. They understand well that the issues we are debating today are highly connected and vital to pharmacy, to all of healthcare, and to society as a whole.

Specifically, advocates will be working to ensure that any changes to the Affordable Care Act do not jeopardize patient access to their local community retail pharmacy. They will also be seeking our support for H.R. 592, the Pharmacy and Medically Underserved Areas Enhancement Act, a bill I strongly support to allow Medicare Part B to utilize pharmacists to their full capability by providing underserved beneficiaries with services, subject to state scope of practice laws. Already in the 115th Congress, H.R. 592 has 134 cosponsors and the companion bill in the Senate, S. 109, has 32 cosponsors. Finally, they will be talking with us about ways to improve neighborhood pharmacy access for TRICARE beneficiaries and about bringing much-needed transparency and consistency to so-called DIR fees, the complicated fee structure imposed on pharmacies to participate in the Medicare Part D program.

I believe Congress should look at every opportunity to make sure that pharmacists are allowed to utilize their training to the fullest to provide the services that can improve care, increase access and lower costs. In recognition of the Ninth Annual NACDS RxIMPACT Day on Capitol Hill, I would like to congratulate pharmacy leaders, pharmacists, students, and the entire pharmacy community represented by NACDS, for their contributions to the health and wellness of the American people.

## HONORING THE LIFE AND SERVICE OF REPRESENTATIVE ENI FALEOMAVAEGA

### HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. ELLISON. Mr. Speaker, I rise today to honor the life and service of Representative Eni Faleomavaega. He passed away on February 22, 2017 in his home at age 73. Representative Faleomavaega was American Samoa's lieutenant governor from 1985 through 1989, and congressional delegate from 1989 through 2014.

Mr. Faleomavaega was born in Vailoatai Village, American Samoa in 1943, and graduated from Brigham Young University. He later earned his Juris Doctor and Master of Law degrees at the University of Houston Law Center and the UC-Berkeley, respectively. He served in the United States Army from 1966 through 1969, and fought in the Vietnam War.

In 1973, Mr. Faleomavaega started his life in public service by working as an administrative assistant to American Samoa's first representative, A.U. Fuimaono. Following a six-year stint as staff counsel for the House Committee on Interior and Insular Affairs beginning in 1975, he became attorney general of American Samoa in 1981.

During his time in the House of Representatives, he helped improve the lives of his constituents, directing essential funding to help the development of schools, infrastructure, and health care in American Samoa. Mr. Faleomavaega was a founding member of the Asian Pacific American Caucus in 1994, and was a tireless advocate on behalf of the wider Asian American and Pacific Islander Community. He served thirteen terms, and was a proud member of both the House Natural Resources Committee and the House Foreign Affairs Committee, where he was a ranking member of the Subcommittee on Asia.

He is survived by his wife, five children and 10 grandchildren. Upon his passing, Mr. Faleomavaega's wife expressed gratitude for the trust placed in him for so many years by the people of American Samoa. I am honored to recognize Representative Eni Faleomavaega for his work as a public servant. We are all better off due to his life of service. He is dearly missed by his friends and colleagues.

## COMMUNITY PHARMACIES

### HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 9, 2017*

Mr. GRIFFITH. Mr. Speaker, last month Congressman WELCH and I introduced legislation H.R. 1038, Improving Transparency and Accuracy in Medicare Part D Spending Act. The legislation would help ensure that small business pharmacies get reimbursed at the rate they agreed to when they signed the reimbursement contract with the pharmacy benefit manager (PBMs).

Our bill would prohibit the PBMs/health plans from retroactively reducing pharmacy reimbursement that has already been contractually agreed to. If you fill up your gas tank when the price is $2.09 per gallon and the price later goes up to $2.15, you won't receive a bill demanding payment for the extra six cents per gallon. The same principle should apply to our community pharmacists. They deserve to be reimbursed based on the price of drugs when they are dispensed, not when they are charged. The fact that the PBMs can even do this points to the need for action on this bill and the need for broader Congressional scrutiny of large PBMs.

Most Americans don't know who the large PBMs are and what they do—three large PBMs control roughly 78 percent of the market and manage pharmacy benefits for more than 180 million Americans. PBMs not only manage benefits for insurance companies and employers, they also own their own pharmacies whether that is mail order, specialty or retail.

Unfortunately small pharmacies in Southwest Virginia and Vermont have dealt with direct and indirect remuneration (DIR) fees for the last few years and the fees are only getting worse. The inability of small business community pharmacy owners to plan in advance for these retroactive fees is truly threatening their ability to operate.

Additionally these fees push patients into the donut hole faster than they would otherwise, a fact that CMS has stated. CMS has also stated these fees are increasing costs to the government, especially in the catastrophic phase of the Part D program. Virtually all catastrophic costs in Part D are borne by the government, and they have increased dramatically in recent years—from $10 billion in 2010 to $33 billion in 2015—fueled by pharmacy DIR fees. These PBMs have an extremely robust business relationship with the Federal Government in Part D, FEHB and DOD TRICARE so it certainly seems possible that the Federal Government could be paying more for prescription drugs than it should be.

Our bill was introduced with 15 original cosponsors and we hope that it will see action in the 115th Congress. Prohibiting retroactive fees like this would help CMS have a better ability to understand all the prescription drug spending that is occurring in Medicare Part D. Additionally, Senators SHELLEY MOORE CAPITO (R–WV) and JON TESTER (D–MT) introduced

identical legislation on the Senate side which seeks to attain the same goals. We very much appreciate their leadership on this issue.

# *Daily Digest*

## HIGHLIGHTS

**See Final Résumé of Congressional Activity (including the History of Bills) for the Second Session of the 114th Congress.**

# Senate

## *Chamber Action*

***Routine Proceedings, pages S1703–S1751***

**Measures Introduced:** Twenty-one bills and three resolutions were introduced, as follows: S. 586–606, S.J. Res. 37, and S. Res. 85–86. **Pages S1742–43**

**Measures Reported:**

S. 419, to require adequate reporting on the Public Safety Officers' Benefits program. **Page S1742**

**Measures Passed:**

***Elementary and Secondary Education Act Rule:*** By 50 yeas to 49 nays (Vote No. 84), Senate passed H.J. Res. 57, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965. **Pages S1704–14**

***Recognizing the Contributions of AmeriCorps:*** Senate agreed to S. Res. 86, recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States. **Pages S1750–51**

**Appointments:**

***Western Hemisphere Drug Policy Commission:*** The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 114–323, appointed the following individual to serve as a member of the Western Hemisphere Drug Policy Commission: Ambassador Cliff Sobel of Florida. **Page S1751**

***United States Senate Caucus on International Narcotics Control:*** The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appointed the following individuals to serve as members of the United States Senate Caucus on International Narcotics Control: Senators Grassley, Cornyn, Risch, and Perdue. **Page S1751**

***Dwight D. Eisenhower Memorial Commission:*** The Chair, on behalf of the President pro tempore, pursuant to provisions of Public Law 106–79, appointed the following Senator to the Dwight D. Eisenhower Memorial Commission: Senator Cochran vice Senator Moran. **Page S1751**

**Verma Nomination—Agreement:** Senate resumed consideration of the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services. **Pages S1714–38**

During consideration of this nomination today, Senate also took the following action:

By 54 yeas to 44 nays (Vote No. 85), Senate agreed to the motion to close further debate on the nomination. **Page S1719**

A unanimous-consent agreement was reached providing that notwithstanding the provisions of rule XXII, following Leader remarks on Monday, March 13, 2017, Senate resume executive session for the consideration of the nomination, and that the vote on confirmation of the nomination occur at 5:30 p.m. **Page S1720**

**Nominations Received:** Senate received the following nominations:

Sonny Perdue, of Georgia, to be Secretary of Agriculture.

Jonathan H. Pittman, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

60 Air Force nominations in the rank of general.

5 Army nominations in the rank of general. **Page S1751**

**Messages from the House:** **Page S1742**

**Enrolled Bills Presented:** **Page S1742**

**Executive Reports of Committees:** **Page S1742**

**Additional Cosponsors:** **Pages S1743–44**

**Statements on Introduced Bills/Resolutions:** **Pages S1744–50**

**Additional Statements:** **Pages S1739–42**

**Authorities for Committees to Meet:** **Pages S1750–51**

**Record Votes:** Two record votes were taken today. (Total—85) **Pages S1714, S1720**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 5:46 p.m., until 2 p.m. on Monday, March 13, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1751.)

# *Committee Meetings*

*(Committees not listed did not meet)*

### U.S. CENTRAL COMMAND AND U.S. AFRICA COMMAND

*Committee on Armed Services:* Committee concluded a hearing to examine United States Central Command and United States Africa Command, after receiving testimony from General Joseph L. Votel, USA, Commander, United States Central Command, and General Thomas D. Waldhauser, USMC, Commander, United States Africa Command, both of the Department of Defense.

### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the following business items:

S. 327, to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, with an amendment;

S. 444, to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company;

S. 462, to require the Securities and Exchange Commission to refund or credit certain excess payments made to the Commission;

S. 484, to amend the Investment Company Act of 1940 to terminate an exemption for companies located in Puerto Rico, the Virgin Islands, and any other possession of the United States; and

S. 488, to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans.

### NOMINATION

*Committee on Foreign Relations:* Committee ordered favorably reported the nomination of David Friedman, of New York, to be Ambassador to Israel.

### YEMEN

*Committee on Foreign Relations:* Committee concluded a hearing to examine resolving the conflict in Yemen, focusing on U.S. interests, risks, and policy, after receiving testimony from Thomas Joscelyn, Foundation for Defense of Democracies, Dafna H. Rand, National Defense University Near East South Asia Center for Strategic Studies, and Gerald M. Feierstein, Middle East Institute Center for Gulf Affairs, all of Washington, D.C.

### USE OF SCIENCE IN THE RULEMAKING PROCESS

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Regulatory Affairs and Federal Management concluded a hearing to examine agency use of science in the rulemaking process, focusing on proposals for improving transparency and accountability, after receiving testimony from Susan E. Dudley, The George Washington University Trachtenberg School of Public Policy and Public Administration Regulatory Studies Center, and Nancy B. Beck, American Chemistry Council, both of Washington, D.C.; and Andrew A. Rosenberg, Union of Concerned Scientists Center for Science and Democracy, Cambridge, Massachusetts.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 419, to require adequate reporting on the Public Safety Officers' Benefits program; and

The nominations of Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019, and Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

### BUSINESS MEETING

*Select Committee on Intelligence:* Committee ordered favorably reported the nomination of Daniel Coats, of Indiana, to be Director of National Intelligence.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 68 public bills, H.R.1422–1489; 1 private bill, H.R.1490; and 5 resolutions, and H. Res.184–188 were introduced. **Pages H2017–19**

**Additional Cosponsors:** **Page H2021**

**Reports Filed:** Reports were filed today as follows:

H.R. 654, to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes, with an amendment (H. Rept. 115–30);

H.R. 1117, to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, with an amendment (H. Rept. 115–31); and

H.R. 1214, to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes (H. Rept. 115–32).

**Pages H2016–17**

**Recess:** The House recessed at 11:10 a.m. and reconvened at 12 noon. **Page H1958**

**Recess:** The House recessed at 1:06 p.m. and reconvened at 2:16 p.m. **Page H1967**

**Fairness in Class Action Litigation Act of 2017:** The House passed H.R. 985, to amend the procedures used in Federal court class actions and multidistrict litigation proceedings to assure fairer, more efficient outcomes for claimants and defendants, by a recorded vote of 220 ayes to 201 noes with 1 answering ''present'', Roll No. 148.

**Pages H1962–68, H1974–H2000**

Rejected the Kildee motion ro recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 188 ayes to 234 noes, Roll No. 147. **Pages H1998–99**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–5 shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Pages H1963, H1981**

Agreed to:

Goodlatte amendment (No. 1 printed in part B of H. Rept. 115–29) that strikes the prohibition on the use of the same class counsel if the named plaintiff is a present or former client, or has a contractual relationship with, the class counsel; carves out private securities litigation class actions from the conflict of interest and stay of discovery sections, gives federal courts 90 days to review the sufficiency of the allegations verification submissions made in the section on multi-district litigation, and makes other technical, conforming, and clarifying changes.

**Pages H1983–84**

Rejected:

Deutch amendment (No. 2 printed in part B of H. Rept. 115–29) that sought to strike the provision on conflicts of interest (by a recorded vote of 182 ayes to 227 noes, Roll No. 140);

**Pages H1984–85, H1993–94**

Deutch amendment (No. 3 printed in part B of H. Rept. 115–29) that sought to strike the fee determination based on equitable relief provision (by a recorded vote of 189 ayes to 228 noes, Roll No. 141); **Pages H1985–86, H1994**

Soto amendment (No. 4 printed in part B of H. Rept. 115–29) that sought to strike section 1721 to allow discovery to proceed while motions are pending (by a recorded vote of 192 ayes to 230 noes, Roll No. 142); **Pages H1986–87, H1994–95**

Johnson (GA) amendment (No. 5 printed in part B of H. Rept. 115–29) that sought to exempt civil actions alleging fraud (by a recorded vote of 190 ayes to 230 noes, Roll No. 143);

**Pages H1987–88, H1995–96**

Conyers amendment (No. 6 printed in part B of H. Rept. 115–29) that sought to exempt civil rights actions from the bill's class action provisions (by a recorded vote of 191 ayes to 230 noes, Roll No. 144); **Pages H1988–90, H1996**

Jackson Lee amendment (No. 7 printed in part B of H. Rept. 115–29) that sought to replace the substantive text of the bill with a requirement that the bankruptcy asbestos trust report quarterly an aggregate list of demands received and payments made (by a recorded vote of 193 ayes to 229 noes, Roll No. 145); and **Pages H1990–92, H1996–97**

Espaillat amendment (No. 8 printed in part B of H. Rept. 115–29) that sought to exempt a claimant who is or has been living in public housing or any dwelling unit for which rental assistance provided under section 8 (by a recorded vote of 193 ayes to 228 noes, Roll No. 146). **Pages H1992–93, H1997–98**

H. Res. 180, the rule providing for consideration of the bills (H.R. 720) and (H.R. 985) was agreed to by a yea-and-nay vote of 233 yeas to 184 nays, Roll No. 139, after the previous question was ordered by a yea-and-nay vote of 233 yeas to 186 nays, Roll No. 138. **Pages H1967–68**

**Innocent Party Protection Act:** The House passed H.R. 725, to amend title 28, United States Code, to prevent fraudulent joinder, by a recorded vote of 224 ayes to 194 noes, Roll No. 152.

**Pages H1968, H2003–04**

Rejected the Kuster motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 187 ayes to 233 noes, Roll No. 151. **Pages H2002–03**

Rejected:

Soto amendment (No. 1 printed in H. Rept. 115–27) that sought to create an exception for instances of public health risks, including byproducts of hydraulic fracturing, well stimulation, or any water contamination (by a recorded vote of 189 ayes to 233 noes, Roll No. 149); and

**Pages H1972–73, H2000–01**

Cartwright amendment (No. 2 printed in H. Rept. 115–27) that sought to create a separate exception for plaintiffs seeking compensation resulting from the bad faith of an insurer (by a recorded vote of 187 ayes to 229 noes, Roll No. 150).

**Pages H1973–74, H2001–02**

H. Res. 175, the rule providing for consideration of the bill (H.R. 725) was agreed to yesterday, March 8th.

**Migratory Bird Conservation Commission—Appointment:** The Chair announced the Speaker's appointment of the following Member on the part of the House to the Migratory Bird Conservation Commission: Representative Thompson (CA). **Page H2004**

**Senate Messages:** Message received from the Senate and message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H1958–59, H1968.

**Senate Referral:** S. 496 was referred to the Committee on Transportation and Infrastructure. S.J. Res. 1 was held at the desk. **Page H2016**

**Quorum Calls—Votes:** Two yea-and-nay votes and thirteen recorded votes developed during the proceedings of today and appear on pages H1967, H1967–68, H1993–94, H1994, H1995, H1995–96, H1996, H1997, H1997–98, H1999, H1999–H2000, H2000–01, H2001–02 H2002–03, H2003. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:14 p.m.

# *Committee Meetings*

### THE NEXT FARM BILL: RURAL DEVELOPMENT AND ENERGY PROGRAMS

*Committee on Agriculture:* Subcommittee on Commodity Exchanges, Energy, and Credit held a hearing entitled ''The Next Farm Bill: Rural Development and Energy Programs''. Testimony was heard from public witnesses.

### THE NEXT FARM BILL: SPECIALTY CROPS

*Committee on Agriculture:* Subcommittee on Biotechnology, Horticulture, and Research held a hearing entitled ''The Next Farm Bill: Specialty Crops''. Testimony was heard from public witnesses.

### MEMBERS' DAY

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing entitled ''Members' Day''. Testimony was heard from Representatives Blumenauer, Cartwright, Costa, Danny K. Davis of Illinois, DesJarlais, Faso, Gene Green of Texas, Higgins of Louisiana, Kelly of Mississippi, Marshall, McGovern, Panetta, Pittenger, Plaskett, Posey, Rouzer, and Thompson of Pennsylvania.

### MEMBERS' DAY

*Committee on Appropriations:* Subcommittee on Defense held a hearing entitled ''Members' Day''. Testimony was heard from Representatives Blumenauer, Bordallo, Bridenstine, Byrne, Clay, Cook, Fitzpatrick, Franks of Arizona, Gaetz, Hanabusa, Hunter, Langevin, Ted Lieu of California, Michelle Lujan Grisham of New Mexico, McSally, Meehan, Panetta, Radewagen, Stivers, Suozzi, Thompson of Pennsylvania, Williams, Joe Wilson of South Carolina, Cartwright, Davidson, Gallagher, Hartzler, Johnson of Louisiana, Kelly of Mississippi, Knight, McGovern, Tenney, Wagner, Webster of Florida, and Wenstrup.

### MANAGEMENT CHALLENGES AT THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION AND THE SOCIAL SECURITY ADMINISTRATION: VIEWS FROM THE INSPECTORS GENERAL

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing entitled ''Management Challenges at the Departments of Labor, Health and Human Services, and Education and the Social Security Administration: Views from the Inspectors General''. Testimony was heard from Scott S. Dahl, Inspector General, Department of Labor; Daniel R. Levinson, Inspector General, Department of Health and Human Services; Gale Stallworth Stone, Acting Inspector General, Social Security Administration; and Kathleen Tighe, Inspector General, Department of Education.

### DEPARTMENT OF STATE AND FOREIGN OPERATIONS PROGRAMS

*Committee on Appropriations:* Subcommittee on State, Foreign Operations, and Related Programs held an oversight hearing on Department of State and Foreign Operations Programs. Testimony was heard from Ann Calvaresi Barr, Inspector General, U.S. Agency for International Development; and Steve Linick, Inspector General, Department of State and Broadcasting Board of Governors.

### MEMBERS' DAY

*Committee on Appropriations:* Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing entitled ''Members' Day''. Testimony was heard from Representatives

Barragán, Bridenstine, Byrne, Cartwright, DeFazio, Espaillat, Gosar, Jackson Lee, Johnson of Louisiana, Lawson of Florida, Panetta, Plaskett, Radewagen, Sires, Suozzi, and Visclosky.

## NUCLEAR DETERRENCE—THE DEFENSE SCIENCE BOARD'S PERSPECTIVE

*Committee on Armed Services:* Subcommittee on Strategic Forces held a hearing entitled "Nuclear Deterrence—the Defense Science Board's Perspective". Testimony was heard from the following Members of the Defense Science Board: Michael Anastasio, Miriam John, and William LaPlante.

## MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Full Committee concluded a markup on a committee print of Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act; and H. Res. 154, of inquiry requesting the President of the United States and directing the Secretary of Health and Human Services to transmit certain information to the House of Representatives relating to plans to repeal or replace the Patient Protection and Affordable Care Act and the health-related measures of the Health Care and Education Reconciliation Act of 2010. The committee print of Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of the Patient Protection and Affordable Care Act was transmitted to the Committee on the Budget, as amended. H. Res. 154 was ordered reported, without amendment.

## FLOOD INSURANCE REFORM: FEMA'S PERSPECTIVE

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled "Flood Insurance Reform: FEMA's Perspective". Testimony was heard from Roy Wright, Deputy Associate Administrator, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, Department of Homeland Security.

## MISCELLANEOUS MEASURES

*Committee on Financial Services:* Full Committee held a markup on H.R. 910, the "Fair Access to Investment Research Act of 2017"; H.R. 1219, the "Supporting America's Innovators Act of 2017"; H.R. 1257, the "Securities and Exchange Commission Overpayment Credit Act"; H.R. 1366, the "U.S. Territories Investor Protection Act of 2017"; H.R. 1343, the "Encouraging Employee Ownership Act of 2017"; and H.R. 1312, the "Small Business Capital Formation Enhancement Act". The following legislation was ordered reported, without amendment: H.R. 1219, H.R. 1366, and H.R. 1343. The following legislation was ordered reported, as amended: H.R. 910, H.R. 1257, H.R. 1312.

## UNDERMINING DEMOCRATIC INSTITUTIONS AND SPLINTERING NATO: RUSSIAN DISINFORMATION AIMS

*Committee on Foreign Affairs:* Full Committee held a hearing entitled "Undermining Democratic Institutions and Splintering NATO: Russian Disinformation Aims". Testimony was heard from public witnesses.

## DEMOCRACY UNDER THREAT IN ETHIOPIA

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled "Democracy Under Threat in Ethiopia". Testimony was heard from public witnesses.

## THE CURRENT STATE OF DHS PRIVATE SECTOR ENGAGEMENT FOR CYBERSECURITY

*Committee on Homeland Security:* Subcommittee on Cybersecurity and Infrastructure Protection held a hearing entitled "The Current State of DHS Private Sector Engagement for Cybersecurity". Testimony was heard from public witnesses.

## IMPROVING AND EXPANDING INFRASTRUCTURE IN TRIBAL AND INSULAR COMMUNITIES

*Committee on Natural Resources:* Subcommittee on Indian, Insular, and Alaska Native Affairs held a hearing entitled "Improving and Expanding Infrastructure in Tribal and Insular Communities". Testimony was heard from Nikolao Pula, Acting Assistant Secretary, Office of Insular Affairs, Department of the Interior; and public witnesses.

## REVIEWING ATF'S FAILURES IN THE DEATH OF ICE AGENT JAIME ZAPATA

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled "Reviewing ATF's Failures in the Death of ICE Agent Jaime Zapata". Testimony was heard from Michael E. Horowitz, Inspector General, Department of Justice; and Thomas E. Brandon, Acting Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

## MISCELLANEOUS MEASURES

*Committee on Science, Space, and Technology:* Full Committee held a markup on H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017"; and H.R. 1431, the "EPA Science Advisory Board Reform Act of 2017". H.R. 1430 and H.R. 1431 were ordered reported, without amendment.

## NATIONAL SCIENCE FOUNDATION PART I: OVERVIEW AND OVERSIGHT

*Committee on Science, Space, and Technology:* Subcommittee on Research and Technology held a hearing entitled "National Science Foundation Part I: Overview and Oversight". Testimony was heard from

France Córdova, Director, National Science Foundation; and Allison Lerner, Inspector General, National Science Foundation.

### AN OVERVIEW OF SBA'S 7(A) LOAN PROGRAM

*Committee on Small Business:* Subcommittee on Investigations, Oversight, and Regulations held a hearing entitled "An Overview of SBA's 7(a) Loan Program". Testimony was heard from public witnesses.

### BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: THE ROLE OF FEDERAL AGENCIES IN WATER INFRASTRUCTURE

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing entitled "Building a 21st Century Infrastructure for America: The Role of Federal Agencies in Water Infrastructure". Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Ways and Means:* Full Committee concluded a markup on Budget Reconciliation Legislative Recommendations Relating to Remuneration from Certain Insurers; Budget Reconciliation Legislative Recommendations Relating to Repeal of Tanning Tax; Budget Reconciliation Legislative Recommendations Relating to Repeal of Certain Consumer Taxes; Budget Reconciliation Legislative Recommendations Relating to Repeal of Net Investment Income Tax; Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of Health-Related Tax Policy. The Budget Reconciliation Legislative Recommendations Relating to Remuneration from Certain Insurers; Budget Reconciliation Legislative Recommendations Relating to Repeal of Tanning Tax; Budget Reconciliation Legislative Recommendations Relating to Repeal of Certain Consumer Taxes; Budget Reconciliation Legislative Recommendations Relating to Repeal of Net Investment Income Tax; and Budget Reconciliation Legislative Recommendations Relating to Repeal and Replace of Health-Related Tax Policy were successfully transmitted to the Committee on the Budget, as amended.

## *Joint Meetings*

### VETERANS SERVICE ORGANIZATIONS LEGISLATIVE PRESENTATIONS

*Joint Hearing:* Senate Committee on Veterans' Affairs concluded a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of multiple veterans service organizations, after receiving testimony from Al Kovach, Jr., Paralyzed Veterans of America, Coronado, California; Rear Admiral Garry E. Hall, USN (Ret.), Association of the United States Navy, and Harold Chapman, AMVETS, both of Washington, D.C.; John Rowan, Vietnam Veterans of America, Middle Village, New York; Vincent W. Patton III, Non Commissioned Officers Association of the United States of America, Alexandria, Virginia; Misty J. Brammer, Gold Star Wives of America, Inc., Aurora, Colorado; Randy Reeves, National Association of State Directors of Veterans Affairs, Pearl, Mississippi; Lieutenant General Michael S. Linnington, (Ret.), Wounded Warrior Project, Jacksonville, Florida; and Major General Gus Hargett, USA (Ret.), National Guard Association of the United States, Arlington, Virginia.

## COMMITTEE MEETINGS FOR FRIDAY, MARCH 10, 2017

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

*Committee on Armed Services,* Subcommittee on Tactical Air and Land Forces, hearing entitled "The Effect of Sequestration and Continuing Resolutions on Marine Corps Modernization and Readiness", 9 a.m., 2118 Rayburn.

*Committee on Oversight and Government Reform,* Full Committee, markup on H.R. 1293, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees; H.R. 1364, the "Official Time Reform Act of 2017"; H.R. 653, the "Federal Intern Protection Act of 2017"; H.R. 680, the "Eliminating Pornography from Agencies Act"; H. Res. 38, expressing the sense of the House of Representatives that offices attached to the seat of Government should not be required to exercise their offices in the District of Columbia; the "SOAR Reauthorization Act"; H.R. 745, the "Federal Records Modernization Act of 2017"; and the "Electronic Message Preservation Act of 2017" (continued), 9 a.m., 2154 Rayburn.

# Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

## DATA ON LEGISLATIVE ACTIVITY

January 4, 2016 through January 3, 2017

| | *Senate* | *House* | *Total* |
|---|---|---|---|
| Days in session | 165 | 131 | .. |
| Time in session | 780 hrs.,58′ | 633 hrs., 15′ | .. |
| Congressional Record: | | | |
| Pages of proceedings | 7,184 | 7,641 | .. |
| Extensions of Remarks | .. | 1,743 | .. |
| Public bills enacted into law | 73 | 141 | 214 |
| Private bills enacted into law | .. | .. | .. |
| Bills in conference | 2 | 2 | .. |
| Measures passed, total | 485 | 659 | 1,144 |
| Senate bills | 97 | 75 | .. |
| House bills | 141 | 450 | .. |
| Senate joint resolutions | 1 | 1 | .. |
| House joint resolutions | 1 | 1 | .. |
| Senate concurrent resolutions | 13 | 7 | .. |
| House concurrent resolutions | 17 | 27 | .. |
| Simple resolutions | 215 | 98 | .. |
| Measures reported, total | *329 | *495 | 824 |
| Senate bills | 242 | 10 | .. |
| House bills | 49 | 413 | .. |
| Senate joint resolutions | .. | .. | .. |
| House joint resolutions | .. | 2 | .. |
| Senate concurrent resolutions | 6 | .. | .. |
| House concurrent resolutions | 1 | 5 | .. |
| Simple resolutions | 31 | 65 | .. |
| Special reports | 12 | 27 | .. |
| Conference reports | 3 | 3 | .. |
| Measures pending on calendar | 462 | 144 | .. |
| Measures introduced, total | 1,466 | 2,714 | 4,180 |
| Bills | 1,121 | 2,224 | .. |
| Joint resolutions | 13 | 29 | .. |
| Concurrent resolutions | 32 | 78 | .. |
| Simple resolutions | 300 | 383 | .. |
| Quorum calls | .. | 1 | .. |
| Yea-and-nay votes | 163 | 275 | .. |
| Recorded votes | .. | 346 | .. |
| Bills vetoed | 2 | 3 | .. |
| Vetoes overridden | 1 | 1 | .. |

*These figures include all measures reported, even if there was no accompanying report. A total of 232 written reports have been filed in the Senate, 525 reports have been filed in the House.

**Totals include Roll Call 44, which was vacated by unanimous consent on January 13, 2016.

## DISPOSITION OF EXECUTIVE NOMINATIONS

January 4, 2016 through January 3, 2017

| | |
|---|---|
| Civilian nominations, totaling 354 (including 181 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 91 |
| Withdrawn | 12 |
| Returned to White House | 251 |
| Other Civilian nominations, totaling 2,412 (including 97 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 2,367 |
| Withdrawn | 1 |
| Returned to White House | 44 |
| Air Force nominations, totaling 7,568 (including 181 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 7,495 |
| Returned to White House | 73 |
| Army nominations, totaling 5,899 (including 1,740 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 5,878 |
| Returned to White House | 21 |
| Navy nominations, totaling 4,408 (including 5 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 4,401 |
| Withdrawn | 2 |
| Returned to White House | 5 |
| Marine Corps nominations, totaling 1,246 (including 3 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,245 |
| Returned to White House | 1 |

*Summary*

| | |
|---|---|
| Total nominations carried over from the First Session | 2,207 |
| Total nominations received this Session | 19,680 |
| Total confirmed | 21,477 |
| Total unconfirmed | 0 |
| Total withdrawn | 15 |
| Total returned to the White House | 395 |

# HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(114th Cong., 2D Sess.)

## BILLS ENACTED INTO PUBLIC LAW (114TH, 2D SESSION)

| | Law No. |
|---|---|
| S. 8 | 114–320 |
| S. 32 | 114–154 |
| S. 125 | 114–155 |
| S. 142 | 114–116 |
| S. 184 | 114–165 |
| S. 192 | 114–144 |
| S. 238 | 114–133 |
| S. 246 | 114–244 |
| S. 337 | 114–185 |
| S. 483 | 114–145 |
| S. 524 | 114–198 |
| S. 546 | 114–321 |
| S. 612 | 114–322 |
| S. 719 | 114–149 |
| S. 764 | 114–216 |
| S. 795 | 114–261 |
| S. 817 | 114–262 |
| S. 818 | 114–263 |
| S. 1004 | 114–240 |
| S. 1115 | 114–117 |
| S. 1172 | 114–136 |
| S. 1180 | 114–143 |
| S. 1252 | 114–195 |
| S. 1492 | 114–161 |
| S. 1523 | 114–162 |
| S. 1550 | 114–264 |
| S. 1555 | 114–265 |
| S. 1579 | 114–221 |
| S. 1580 | 114–137 |
| S. 1596 | 114–134 |
| S. 1629 | 114–118 |
| S. 1632 | 114–266 |
| S. 1635 | 114–323 |
| S. 1638 | 114–150 |
| S. 1698 | 114–241 |
| S. 1808 | 114–267 |
| S. 1826 | 114–138 |
| S. 1878 | 114–229 |
| S. 1890 | 114–153 |
| S. 1915 | 114–268 |
| S. 2040 | 114–222 |
| S. 2109 | 114–132 |
| S. 2133 | 114–186 |
| S. 2143 | 114–163 |
| S. 2152 | 114–121 |
| S. 2234 | 114–269 |
| S. 2276 | 114–183 |
| S. 2328 | 114–187 |
| S. 2393 | 114–142 |
| S. 2426 | 114–139 |
| S. 2487 | 114–188 |
| S. 2512 | 114–146 |
| S. 2577 | 114–324 |
| S. 2683 | 114–242 |
| S. 2754 | 114–253 |
| S. 2755 | 114–156 |
| S. 2840 | 114–199 |
| S. 2845 | 114–194 |
| S. 2854 | 114–325 |
| S. 2873 | 114–270 |
| S. 2893 | 114–217 |
| S. 2943 | 114–328 |
| S. 2971 | 114–326 |
| S. 2974 | 114–271 |
| S. 3028 | 114–272 |
| S. 3055 | 114–218 |
| S. 3076 | 114–273 |
| S. 3084 | 114–329 |
| S. 3183 | 114–274 |
| S. 3207 | 114–219 |
| S. 3283 | 114–243 |
| S. 3395 | 114–275 |
| S. 3492 | 114–276 |
| H.R. 34 | 114–255 |
| H.R. 136 | 114–166 |
| H.R. 433 | 114–167 |
| H.R. 487 | 114–127 |
| H.R. 515 | 114–119 |
| H.R. 636 | 114–190 |
| H.R. 644 | 114–125 |
| H.R. 710 | 114–278 |
| H.R. 757 | 114–122 |
| H.R. 812 | 114–178 |
| H.R. 845 | 114–245 |
| H.R. 875 | 114–279 |
| H.R. 890 | 114–128 |
| H.R. 907 | 114–123 |
| H.R. 960 | 114–280 |
| H.R. 1132 | 114–168 |
| H.R. 1150 | 114–281 |
| H.R. 1428 | 114–126 |
| H.R. 1475 | 114–230 |
| H.R. 1493 | 114–151 |
| H.R. 1670 | 114–147 |
| H.R. 1755 | 114–135 |
| H.R. 1762 | 114–179 |
| H.R. 1831 | 114–140 |
| H.R. 2028 | 114–254 |
| H.R. 2137 | 114–180 |
| H.R. 2212 | 114–181 |
| H.R. 2458 | 114–169 |
| H.R. 2494 | 114–231 |
| H.R. 2576 | 114–182 |
| H.R. 2607 | 114–200 |
| H.R. 2615 | 114–224 |
| H.R. 2722 | 114–148 |
| H.R. 2726 | 114–282 |
| H.R. 2733 | 114–232 |
| H.R. 2814 | 114–164 |
| H.R. 2908 | 114–152 |
| H.R. 2928 | 114–170 |
| H.R. 3004 | 114–233 |
| H.R. 3033 | 114–124 |
| H.R. 3082 | 114–171 |
| H.R. 3114 | 114–189 |
| H.R. 3209 | 114–184 |
| H.R. 3218 | 114–283 |
| H.R. 3262 | 114–129 |
| H.R. 3274 | 114–172 |
| H.R. 3471 | 114–256 |
| H.R. 3601 | 114–173 |
| H.R. 3700 | 114–201 |
| H.R. 3735 | 114–174 |
| H.R. 3766 | 114–191 |
| H.R. 3784 | 114–284 |
| H.R. 3842 | 114–285 |
| H.R. 3866 | 114–175 |
| H.R. 3931 | 114–202 |
| H.R. 3937 | 114–234 |
| H.R. 3953 | 114–203 |
| H.R. 3969 | 114–220 |
| H.R. 4010 | 114–204 |
| H.R. 4046 | 114–176 |
| H.R. 4056 | 114–130 |
| H.R. 4188 | 114–120 |
| H.R. 4238 | 114–157 |
| H.R. 4336 | 114–158 |
| H.R. 4352 | 114–286 |
| H.R. 4372 | 114–192 |
| H.R. 4419 | 114–257 |
| H.R. 4425 | 114–205 |
| H.R. 4437 | 114–131 |
| H.R. 4465 | 114–287 |
| H.R. 4511 | 114–246 |
| H.R. 4605 | 114–177 |
| H.R. 4618 | 114–288 |
| H.R. 4665 | 114–249 |
| H.R. 4680 | 114–289 |
| H.R. 4721 | 114–141 |
| H.R. 4747 | 114–206 |
| H.R. 4761 | 114–207 |
| H.R. 4777 | 114–208 |
| H.R. 4875 | 114–196 |
| H.R. 4877 | 114–209 |
| H.R. 4887 | 114–290 |
| H.R. 4902 | 114–250 |
| H.R. 4904 | 114–210 |
| H.R. 4923 | 114–159 |
| H.R. 4925 | 114–211 |
| H.R. 4939 | 114–291 |
| H.R. 4957 | 114–160 |
| H.R. 4960 | 114–193 |
| H.R. 4975 | 114–212 |
| H.R. 4987 | 114–213 |
| H.R. 5015 | 114–292 |
| H.R. 5028 | 114–214 |
| H.R. 5065 | 114–293 |
| H.R. 5099 | 114–294 |
| H.R. 5111 | 114–258 |
| H.R. 5147 | 114–235 |
| H.R. 5150 | 114–295 |
| H.R. 5252 | 114–225 |
| H.R. 5309 | 114–296 |
| H.R. 5325 | 114–223 |
| H.R. 5356 | 114–297 |
| H.R. 5392 | 114–247 |
| H.R. 5509 | 114–259 |
| H.R. 5578 | 114–236 |
| H.R. 5588 | 114–197 |
| H.R. 5591 | 114–298 |
| H.R. 5612 | 114–299 |
| H.R. 5676 | 114–300 |
| H.R. 5687 | 114–301 |
| H.R. 5722 | 114–215 |
| H.R. 5785 | 114–251 |
| H.R. 5790 | 114–302 |
| H.R. 5798 | 114–303 |
| H.R. 5873 | 114–252 |
| H.R. 5877 | 114–304 |
| H.R. 5883 | 114–237 |
| H.R. 5889 | 114–305 |
| H.R. 5936 | 114–226 |
| H.R. 5937 | 114–227 |
| H.R. 5944 | 114–238 |
| H.R. 5946 | 114–239 |
| H.R. 5948 | 114–306 |
| H.R. 5985 | 114–228 |
| H.R. 5995 | 114–260 |
| H.R. 6007 | 114–248 |
| H.R. 6014 | 114–307 |
| H.R. 6130 | 114–308 |
| H.R. 6138 | 114–309 |
| H.R. 6282 | 114–310 |
| H.R. 6297 | 114–277 |
| H.R. 6302 | 114–311 |
| H.R. 6304 | 114–312 |
| H.R. 6323 | 114–313 |
| H.R. 6400 | 114–314 |
| H.R. 6416 | 114–315 |
| H.R. 6431 | 114–316 |
| H.R. 6450 | 114–317 |
| H.R. 6451 | 114–318 |
| H.R. 6452 | 114–327 |
| H.R. 6477 | 114–319 |

## BILLS VETOED

H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016. Vetoed Jan. 8, 2016.

S.J. Res. 22, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Federal Water Pollution Control Act. Vetoed Jan. 20, 2016.

H.J. Res. 88, disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary''. Vetoed June 8, 2016.

H.R. 1777, to amend the Act of August 25, 1958, commonly known as the ''Former Presidents Act of 1958'', with respect to the monetary allowance payable to a former President, and for other purposes. Vetoed July 22, 2016.

S. 2040, to deter terrorism, provide justice for victims, and for other purposes. Vetoed Sept. 23, 2016. Veto Overridden and became Public Law 114-222, Sept. 28, 2016.

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To require special packaging for liquid nicotine containers, and for other purposes. | S. 142 | Jan. 8, 2015 | | CST | ..... | Apr. 13, 2015 | ..... | 12 | Jan. 11, 2016 | Dec. 10, 2015 | Jan. 28, 2016 | 116 |
| To close out expired grants. | S. 1115 | Apr. 28, 2015 | | HS&GA | ..... | Nov. 30, 2015 | ..... | 169 | Jan. 11, 2016 | Dec. 18, 2015 | Jan. 28, 2016 | 117 |
| To revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes. | S. 1629 | June 18, 2015 | OGR | HS&GA | Dec. 3, 2015 | Aug. 3, 2015 | 368 | 110 | Jan. 11, 2016 | Sept. 10, 2015 | Jan. 28, 2016 | 118 |
| To protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes. | H.R. 515 | Jan. 22, 2015 | FA<br>Jud | FR | | Nov. 17, 2015 | ..... | 0 | Jan. 26, 2015 | Dec. 17, 2015 | Feb. 8, 2016 | 119 |
| To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes. | H.R. 4188 | Dec. 8, 2015 | TI | | ..... | ..... | ..... | ..... | Dec. 10, 2015 | Dec. 18, 2015 | Feb. 8, 2016 | 120 |
| To establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes. | S. 2152 | Oct. 7, 2015 | FA | FR | | Nov. 5, 2015 | ..... | 176 | Feb. 1, 2016 | Dec. 18, 2015 | Feb. 8, 2016 | 121 |
| To improve the enforcement of sanctions against the Government of North Korea, and for other purposes. | H.R. 757 | Feb. 5, 2015 | FA<br>WM<br>Jud<br>FS<br>OGR | FR | Jan. 11, 2016 | Feb. 2, 2016 | 392 | 0 | Jan. 12, 2016 | Feb. 10, 2016 | Feb. 18, 2016 | 122 |
| To improve defense cooperation between the United States and the Hashemite Kingdom of Jordan. | H.R. 907 | Feb. 12, 2015 | FA | FR | | | ..... | ..... | July 7, 2015 | Feb. 3, 2016 | Feb. 18, 2016 | 123 |
| To require the President's annual budget request to Congress each year to include a line item for the Research in Disabilities Education program of the National Science Foundation and to require the National Science Foundation to conduct research on dyslexia. | H.R. 3033 | July 13, 2015 | SST | HEL&P | | | ..... | ..... | Oct. 26, 2015 | Feb. 3, 2016 | Feb. 18, 2016 | 124 |
| To reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes. | H.R. 644 | Feb. 2, 2015 | WM | | Feb. 9, 2015 | ..... | 18 | ..... | Feb. 12, 2015 | May 14, 2015 | Feb. 24, 2016 | 125 |
| To extend Privacy Act remedies to citizens of certified states, and for other purposes. | H.R. 1428 | Mar. 18, 2015 | Jud<br>OGR | Jud | Oct. 20, 2015 | Feb. 1, 2016 | 294 | 0 | Oct. 20, 2015 | Feb. 9, 2016 | Feb. 24, 2016 | 126 |
| To allow the Miami Tribe of Oklahoma to lease or transfer certain lands. | H.R. 487 | Jan. 22, 2015 | NR | IA | Sept. 8, 2015 | Jan. 12, 2016 | 250 | 205 | Sept. 16, 2015 | Feb. 11, 2016 | Feb. 29, 2016 | 127 |
| To revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Florida. | H.R. 890 | Feb. 11, 2015 | NR | EPW | Feb. 9, 2016 | | 417 | ..... | Feb. 9, 2016 | Feb. 22, 2016 | Feb. 29, 2016 | 128 |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To provide for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois. | H.R. | 3262 | July 28, 2015 | VA | VA | | | ..... | ..... | Feb. 9, 2016 | Feb. 22, 2016 | Feb. 29, 2016 | 129 |
| To direct the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as "The Community Living Center" at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida. | H.R. | 4056 | Nov. 18, 2015 | VA | VA | | | ..... | ..... | Feb. 9, 2016 | Feb. 22, 2016 | Feb. 29, 2016 | 130 |
| To extend the deadline for the submittal of the final report required by the Commission on Care. | H.R. | 4437 | Feb. 2, 2016 | VA | VA | | | ..... | ..... | Feb. 9, 2016 | Feb. 22, 2016 | Feb. 29, 2016 | 131 |
| To direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes. | S. | 2109 | Sept. 30, 2015 | TI | HS&GA | | Dec. 7, 2015 | ..... | 173 | Feb. 23, 2016 | Feb. 9, 2016 | Feb. 29, 2016 | 132 |
| To amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons. | S. | 238 | Jan. 22, 2015 | Jud | Jud | | | ..... | ..... | Feb. 24, 2016 | Dec. 16, 2015 | Mar. 9, 2016 | 133 |
| To designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the "Specialist Joseph W. Riley Post Office Building". | S. | 1596 | June 17, 2015 | OGR | HS&GA | | July 29, 2015 | ..... | 0 | Mar. 1, 2016 | Aug. 5, 2015 | Mar. 9, 2016 | 134 |
| To amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans. | H.R. | 1755 | Apr. 13, 2015 | Jud | Jud | Nov. 30, 2015 | | 350 | ..... | Nov. 30, 2015 | Mar. 8, 2016 | Mar. 18, 2016 | 135 |
| To improve the process of presidential transition. | S. | 1172 | Apr. 30, 2015 | OGR HS | HS&GA | Dec. 18, 2015 | July 27, 2015 | 384 | 94 | Feb. 29, 2016 | July 30, 2015 | Mar. 18, 2016 | 136 |
| To allow additional appointing authorities to select individuals from competitive service certificates. | S. | 1580 | June 16, 2015 | OGR | HS&GA | Dec. 3, 2015 | Sept. 15, 2015 | 367 | 143 | Feb. 29, 2016 | Sept. 17, 2015 | Mar. 18, 2016 | 137 |
| To designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James "Maggie" Megellas Post Office. | S. | 1826 | July 22, 2015 | OGR | HS&GA | | July 29, 2015 | ..... | 0 | Mar. 3, 2016 | Aug. 5, 2015 | Mar. 18, 2016 | 138 |
| To direct the Secretary of State to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes. | S. | 2426 | Dec. 18, 2015 | | FR | ..... | Feb. 2, 2016 | ..... | 0 | Mar. 14, 2016 | Mar. 8, 2016 | Mar. 18, 2016 | 139 |
| To establish the Commission on Evidence-Based Policymaking, and for other purposes. | H.R. | 1831 | Apr. 16, 2015 | OGR | | July 16, 2015 | ..... | 211 | ..... | July 27, 2015 | Mar. 16, 2016 | Mar. 30, 2016 | 140 |
| To amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes. | H.R. | 4721 | Mar. 10, 2016 | TI WM | | | ..... | ..... | ..... | Mar. 14, 2016 | Mar. 17, 2016 | Mar. 30, 2016 | 141 |
| To extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes. | S. | 2393 | Dec. 10, 2015 | | | ..... | ..... | ..... | ..... | Mar. 21, 2016 | Dec. 10, 2015 | Mar. 31, 2016 | 142 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To amend the Homeland Security Act of 2002 to direct the Administrator of the Federal Emergency Management Agency to modernize the integrated public alert and warning system of the United States, and for other purposes. | S. 1180 | May 4, 2015 | | HS&GA | ..... | June 25, 2015 | ..... | 73 | Mar. 21, 2016 | July 9, 2015 | Apr. 11, 2016 | 143 |
| To reauthorize the Older Americans Act of 1965, and for other purposes. | S. 192 | Jan. 20, 2015 | E&W | HEL&P | | Feb. 3, 2015 | ..... | 0 | Mar. 21, 2016 | July 16, 2015 | Apr. 19, 2016 | 144 |
| To improve enforcement efforts related to prescription drug diversion and abuse, and for other purposes. | S. 483 | Feb. 12, 2015 | | Jud | ..... | Feb. 11, 2016 | ..... | 0 | Apr. 12, 2016 | Mar. 17, 2016 | Apr. 19, 2016 | 145 |
| To expand the tropical disease product priority review voucher program to encourage treatments for Zika virus. | S. 2512 | Feb. 8, 2016 | EC | HEL&P | | Mar. 15, 2016 | ..... | 0 | Apr. 12, 2016 | Mar. 17, 2016 | Apr. 19, 2016 | 146 |
| To direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action. | H.R. 1670 | Mar. 26, 2015 | HA | | Feb. 1, 2016 | ..... | 410 | ..... | Mar. 21, 2016 | Apr. 14, 2016 | Apr. 29, 2016 | 147 |
| To require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer. | H.R. 2722 | June 10, 2015 | FS<br>Bud | BHUA | | | ..... | ..... | July 15, 2015 | Apr. 19, 2016 | Apr. 29, 2016 | 148 |
| To rename the Armed Forces Reserve Center in Great Falls, Montana, the Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center. | S. 719 | Mar. 11, 2015 | AS | AS | | | ..... | ..... | Apr. 18, 2016 | Mar. 16, 2016 | Apr. 29, 2016 | 149 |
| To direct the Secretary of Homeland Security to submit to Congress information on the Department of Homeland Security headquarters consolidation project in the National Capital Region, and for other purposes. | S. 1638 | June 18, 2015 | | HS&GA | ..... | Mar. 14, 2016 | ..... | 227 | Apr. 18, 2016 | Apr. 6, 2016 | Apr. 29, 2016 | 150 |
| To protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes. | H.R. 1493 | Mar. 19, 2015 | FA<br>WM<br>AS<br>Jud | FR | | Feb. 2, 2016 | ..... | 0 | June 1, 2015 | Apr. 13, 2016 | May 9, 2016 | 151 |
| To adopt the bison as the national mammal of the United States. | H.R. 2908 | June 25, 2015 | OGR | | Apr. 12, 2016 | ..... | 483 | ..... | Apr. 26, 2016 | Apr. 28, 2016 | May 9, 2016 | 152 |
| To amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes. | S. 1890 | July 29, 2015 | Jud | Jud | Apr. 26, 2016 | Jan. 28, 2016 | 529 | 220 | Apr. 27, 2016 | Apr. 4, 2016 | May 11, 2016 | 153 |
| To provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes. | S. 32 | Jan. 6, 2015 | Jud<br>EC | Fin<br>Jud | | Sept. 17, 2015 | ..... | 0 | May 10, 2016 | Oct. 7, 2015 | May 16, 2016 | 154 |
| To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes. | S. 125 | Jan. 8, 2015 | Jud | Jud | May 10, 2016 | Mar. 26, 2015 | 544 | 0 | May 10, 2016 | May 6, 2015 | May 16, 2016 | 155 |
| To provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty. | S. 2755 | Apr. 6, 2016 | | RAdm | ..... | | ..... | ..... | May 10, 2016 | Apr. 19, 2016 | May 16, 2016 | 156 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities. | H.R. | 4238 | Dec. 11, 2015 | EC TI | | | ..... | ..... | ..... | Feb. 29, 2016 | May 9, 2016 | May 20, 2016 | 157 |
| To amend title 38, United States Code, to provide for the inurnment in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service. | H.R. | 4336 | Jan. 6, 2016 | VA AS | VA | Mar. 21, 2016 | | 459 | ..... | Mar. 22, 2016 | May 10, 2016 | May 20, 2016 | 158 |
| To establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes. | H.R. | 4923 | Apr. 13, 2016 | WM R | | Apr. 25, 2016 | ..... | 519 | ..... | Apr. 27, 2016 | May 10, 2016 | May 20, 2016 | 159 |
| To designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the "Ariel Rios Federal Building". | H.R. | 4957 | Apr. 15, 2016 | TI | | May 3, 2016 | ..... | 534 | ..... | May 10, 2016 | May 16, 2016 | May 20, 2016 | 160 |
| To direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska. | S. | 1492 | June 3, 2015 | | HS&GA | ..... | Mar. 15, 2016 | ..... | 228 | May 16, 2016 | Apr. 6, 2016 | May 20, 2016 | 161 |
| To amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes. | S. | 1523 | June 8, 2015 | | EPW | ..... | | ..... | 161 | Apr. 26, 2016 | Aug. 5, 2015 | May 20, 2016 | 162 |
| To provide for the authority for the successors and assigns of the Starr-Camargo Bridge Company to maintain and operate a toll bridge across the Rio Grande near Rio Grande City, Texas, and for other purposes. | S. | 2143 | Oct. 6, 2015 | FA | EPW | | Feb. 24, 2016 | ..... | 213 | May 16, 2016 | Mar. 17, 2016 | May 20, 2016 | 163 |
| To name the Department of Veterans Affairs community-based outpatient clinic in Sevierville, Tennessee, the Dannie A. Carr Veterans Outpatient Clinic. | H.R. | 2814 | June 17, 2015 | VA | VA | | | ..... | ..... | Mar. 1, 2016 | May 18, 2016 | June 3, 2016 | 164 |
| To amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes. | S. | 184 | Jan. 16, 2015 | | IA | ..... | May 11, 2015 | ..... | 37 | May 23, 2016 | June 1, 2015 | June 3, 2016 | 165 |
| To designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the "Camp Pendleton Medal of Honor Post Office". | H.R. | 136 | Jan. 6, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 166 |
| To designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the "Specialist Ross A. McGinnis Memorial Post Office". | H.R. | 433 | Jan. 21, 2015 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | May 26, 2016 | June 13, 2016 | 167 |
| To designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the "W. Ronald Coale Memorial Post Office Building". | H.R. | 1132 | Feb. 26, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 168 |
| To designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the "Lionel R. Collins, Sr. Post Office Building". | H.R. | 2458 | May 19, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 169 |
| To designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the "Harold George Bennett Post Office". | H.R. | 2928 | June 25, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Apr. 18, 2016 | May 26, 2016 | June 13, 2016 | 170 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the "Daryle Holloway Post Office Building". | H.R. 3082 | July 15, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 171 |
| To designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the "Francis Manuel Ortega Post Office". | H.R. 3274 | July 29, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 172 |
| To designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the "Melvoid J. Benson Post Office Building". | H.R. 3601 | Sept. 24, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 173 |
| To designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the "Maya Angelou Memorial Post Office". | H.R. 3735 | Oct. 9, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 174 |
| To designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building". | H.R. 3866 | Oct. 29, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Apr. 18, 2016 | May 26, 2016 | June 13, 2016 | 175 |
| To designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office. | H.R. 4046 | Nov. 17, 2015 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Mar. 1, 2016 | May 26, 2016 | June 13, 2016 | 176 |
| To designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the "Sgt. 1st Class Terryl L. Pasker Post Office Building". | H.R. 4605 | Feb. 24, 2016 | OGR | HS&GA | | May 25, 2016 | ..... | 0 | Apr. 18, 2016 | May 26, 2016 | June 13, 2016 | 177 |
| To provide for Indian trust asset management reform, and for other purposes. | H.R. 812 | Feb. 9, 2015 | NR | | Feb. 24, 2016 | ..... | 432 | ..... | Feb. 24, 2016 | June 10, 2016 | June 22, 2016 | 178 |
| To name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the "Loren R. Kaufman VA Clinic". | H.R. 1762 | Apr. 13, 2015 | VA | VA | | | ..... | ..... | May 23, 2016 | June 10, 2016 | June 22, 2016 | 179 |
| To ensure Federal law enforcement officers remain able to ensure their own safety, and the safety of their families, during a covered furlough. | H.R. 2137 | Apr. 30, 2015 | Jud | | May 10, 2016 | ..... | 543 | ..... | May 10, 2016 | June 10, 2016 | June 22, 2016 | 180 |
| To take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes. | H.R. 2212 | May 1, 2015 | NR | IA | Oct. 27, 2015 | | 314 | ..... | Nov. 30, 2015 | June 10, 2016 | June 22, 2016 | 181 |
| To modernize the Toxic Substances Control Act, and for other purposes. | H.R. 2576 | May 26, 2015 | EC | | June 23, 2015 | ..... | 176 | ..... | June 23, 2015 | Dec. 17, 2015 | June 22, 2016 | 182 |
| To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes. | S. 2276 | Nov. 10, 2015 | | CST | ..... | Feb. 24, 2016 | ..... | 209 | June 8, 2016 | Mar. 3, 2016 | June 22, 2016 | 183 |
| To amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations. | H.R. 3209 | July 23, 2015 | WM | Fin | May 10, 2016 | | 542 | ..... | May 10, 2016 | June 16, 2016 | June 30, 2016 | 184 |
| To improve the Freedom of Information Act. | S. 337 | Feb. 2, 2015 | | Jud | ..... | Feb. 9, 2015 | ..... | 4 | June 13, 2016 | Mar. 15, 2016 | June 30, 2016 | 185 |

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| To improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments. | S. | 2133 | Oct. 5, 2015 | | HS&GA | ..... | Mar. 15, 2016 | ..... | 229 | June 21, 2016 | Apr. 12, 2016 | June 30, 2016 | 186 |
| To reauthorize and amend the National Sea Grant College Program Act, and for other purposes. | S. | 2328 | Nov. 19, 2015 | NR | | | ..... | ..... | ..... | June 9, 2016 | Nov. 19, 2015 | June 30, 2016 | 187 |
| To direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes. | S. | 2487 | Feb. 3, 2016 | | VA | ..... | | ..... | ..... | June 21, 2016 | June 7, 2016 | June 30, 2016 | 188 |
| To provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes. | H.R. | 3114 | July 20, 2015 | TI | EPW | Sept. 8, 2015 | May 18, 2016 | 249 | 0 | Nov. 17, 2015 | June 23, 2016 | July 6, 2016 | 189 |
| To amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes. | H.R. | 636 | Feb. 2, 2015 | WM Bud | | Feb. 9, 2015 | ..... | 21 | ..... | Feb. 13, 2015 | Apr. 19, 2016 | July 15, 2016 | 190 |
| To direct the President to establish guidelines for covered United States foreign assistance programs, and for other purposes. | H.R. | 3766 | Oct. 20, 2015 | FA | | | ..... | ..... | ..... | Dec. 8, 2015 | June 28, 2016 | July 15, 2016 | 191 |
| To designate the facility of the United States Postal Service located at 15 Rochester Street, Bergen, New York, as the Barry G. Miller Post Office. | H.R. | 4372 | Jan. 12, 2016 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 7, 2016 | July 15, 2016 | 192 |
| To designate the facility of the United States Postal Service located at 525 N Broadway in Aurora, Illinois, as the "Kenneth M. Christy Post Office Building". | H.R. | 4960 | Apr. 15, 2016 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 7, 2016 | July 15, 2016 | 193 |
| To extend the termination of sanctions with respect to Venezuela under the Venezuela Defense of Human Rights and Civil Society Act of 2014. | S. | 2845 | Apr. 25, 2016 | FA Jud | FR | | Apr. 28, 2016 | ..... | 0 | July 6, 2016 | Apr. 28, 2016 | July 15, 2016 | 194 |
| To authorize a comprehensive strategic approach for United States foreign assistance to developing countries to reduce global poverty and hunger, achieve food and nutrition security, promote inclusive, sustainable, agricultural-led economic growth, improve nutritional outcomes, especially for women and children, build resilience among vulnerable populations, and for other purposes. | S. | 1252 | May 7, 2015 | FA | FR | | Mar. 15, 2016 | ..... | 0 | July 6, 2016 | Apr. 20, 2016 | July 20, 2016 | 195 |
| To establish the United States Semiquincentennial Commission, and for other purposes. | H.R. | 4875 | Mar. 23, 2016 | OGR | | | ..... | ..... | ..... | July 5, 2016 | July 12, 2016 | July 22, 2016 | 196 |
| To increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes. | H.R. | 5588 | June 28, 2016 | VA | | | ..... | ..... | ..... | July 11, 2016 | July 13, 2016 | July 22, 2016 | 197 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To authorize the Attorney General and Secretary of Health and Human Services to award grants to address the prescription opioid abuse and heroin use crisis, and for other purposes. | S. 524 | Feb. 12, 2015 | | Jud | ..... | Feb. 22, 2016 | ..... | 0 | May 13, 2016 | Mar. 10, 2016 | July 22, 2016 | 198 |
| To amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes. | S. 2840 | Apr. 21, 2016 | Jud | Jud | | May 12, 2016 | ..... | 0 | July 12, 2016 | May 18, 2016 | July 22, 2016 | 199 |
| To designate the facility of the United States Postal Service located at 7802 37th Avenue in Jackson Heights, New York, as the "Jeanne and Jules Manford Post Office Building". | H.R. 2607 | June 2, 2015 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 14, 2016 | July 29, 2016 | 200 |
| To provide housing opportunities in the United States through modernization of various housing programs, and for other purposes. | H.R. 3700 | Oct. 7, 2015 | FS | BHUA | Jan. 28, 2016 | | 397 | ..... | Feb. 2, 2016 | July 14, 2016 | July 29, 2016 | 201 |
| To designate the facility of the United States Postal Service located at 620 Central Avenue Suite 1A in Hot Springs National Park, Arkansas, as the "Chief Petty Officer Adam Brown United States Post Office". | H.R. 3931 | Nov. 4, 2015 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 202 |
| To designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the "Private First Class Felton Roger Fussell Memorial Post Office". | H.R. 3953 | Nov. 5, 2015 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 203 |
| To designate the facility of the United States Postal Service located at 522 North Central Avenue in Phoenix, Arizona, as the "Ed Pastor Post Office". | H.R. 4010 | Nov. 16, 2015 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 14, 2016 | July 29, 2016 | 204 |
| To designate the facility of the United States Postal Service located at 110 East Powerhouse Road in Collegeville, Minnesota, as the "Eugene J. McCarthy Post Office". | H.R. 4425 | Feb. 2, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 205 |
| To designate the facility of the United States Postal Service located at 6691 Church Street in Riverdale, Georgia, as the "Major Gregory E. Barney Post Office Building". | H.R. 4747 | Mar. 15, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 206 |
| To designate the facility of the United States Postal Service located at 61 South Baldwin Avenue in Sierra Madre, California, as the "Louis Van Iersel Post Office". | H.R. 4761 | Mar. 16, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 207 |
| To designate the facility of the United States Postal Service located at 1301 Alabama Avenue in Selma, Alabama as the "Amelia Boynton Robinson Post Office Building". | H.R. 4777 | Mar. 17, 2016 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 14, 2016 | July 29, 2016 | 208 |
| To designate the facility of the United States Postal Service located at 3130 Grants Lake Boulevard in Sugar Land, Texas, as the "LCpl Garrett W. Gamble, USMC Post Office Building". | H.R. 4877 | Mar. 23, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 209 |
| To require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes. | H.R. 4904 | Apr. 12, 2016 | OGR | HS&GA | May 23, 2016 | | 587 | ..... | June 7, 2016 | July 14, 2016 | July 29, 2016 | 210 |

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| To designate the facility of the United States Postal Service located at 229 West Main Cross Street, in Findlay, Ohio, as the "Michael Garver Oxley Memorial Post Office Building". | H.R. | 4925 | Apr. 13, 2016 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 14, 2016 | July 29, 2016 | 211 |
| To designate the facility of the United States Postal Service located at 5720 South 142nd Street in Omaha, Nebraska, as the "Petty Officer 1st Class Caleb A. Nelson Post Office Building". | H.R. | 4975 | Apr. 18, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 212 |
| To designate the facility of the United States Postal Service located at 3957 2nd Avenue in Laurel Hill, Florida, as the "Sergeant First Class William 'Kelly' Lacey Post Office". | H.R. | 4987 | Apr. 18, 2016 | OGR | HS&GA | | | ..... | ..... | May 23, 2016 | July 14, 2016 | July 29, 2016 | 213 |
| To designate the facility of the United States Postal Service located at 10721 E Jefferson Ave in Detroit, Michigan, as the "Mary E. McCoy Post Office Building". | H.R. | 5028 | Apr. 21, 2016 | OGR | HS&GA | | | ..... | ..... | June 21, 2016 | July 14, 2016 | July 29, 2016 | 214 |
| To establish the John F. Kennedy Centennial Commission. | H.R. | 5722 | July 11, 2016 | OGR | | | ..... | ..... | ..... | July 13, 2016 | July 14, 2016 | July 29, 2016 | 215 |
| To reauthorize and amend the National Sea Grant College Program Act, and for other purposes. | S. | 764 | Mar. 17, 2015 | NR | CST | | July 23, 2015 | ..... | 90 | Sept. 18, 2015 | July 28, 2015 | July 29, 2016 | 216 |
| To reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes. | S. | 2893 | Apr. 28, 2016 | | RAdm | ..... | | ..... | ..... | July 14, 2016 | July 13, 2016 | July 29, 2016 | 217 |
| To amend title 38, United States Code, to provide a dental insurance plan to veterans and survivors and dependents of veterans. | S. | 3055 | June 14, 2016 | | VA | ..... | | ..... | ..... | July 14, 2016 | July 13, 2016 | July 29, 2016 | 218 |
| To authorize the National Library Service for the Blind and Physically Handicapped to provide playback equipment in all formats. | S. | 3207 | July 13, 2016 | | | ..... | ..... | ..... | ..... | July 14, 2016 | July 13, 2016 | July 29, 2016 | 219 |
| To designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic". | H.R. | 3969 | Nov. 5, 2015 | VA | VA | | | ..... | ..... | May 23, 2016 | Sept. 8, 2016 | Sept. 23, 2016 | 220 |
| To enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States. | S. | 1579 | June 16, 2015 | NR<br>EC<br>HA | IA | Sept. 6, 2016 | Jan. 12, 2016 | 721 | 201 | Sept. 12, 2016 | Apr. 25, 2016 | Sept. 23, 2016 | 221 |
| To deter terrorism, provide justice for victims, and for other purposes. | S. | 2040 | Sept. 16, 2015 | Jud | Jud | | Feb. 3, 2016 | ..... | 0 | Sept. 9, 2016 | May 17, 2016 | Sept. 23, 2016 | 222 |
| Making continuing appropriations for fiscal year 2017, and for other purposes. | H.R. | 5325 | May 25, 2016 | App | | May 25, 2016 | ..... | 594 | ..... | June 10, 2016 | Sept. 28, 2016 | Sept. 29, 2016 | 223 |
| To establish the Virgin Islands of the United States Centennial Commission. | H.R. | 2615 | June 2, 2015 | OGR | ENR | Apr. 12, 2016 | Aug. 30, 2016 | 486 | 314 | Apr. 26, 2016 | Sept. 20, 2016 | Sept. 29, 2016 | 224 |
| To designate the United States Customs and Border Protection Port of Entry located at 1400 Lower Island Road in Tornillo, Texas, as the "Marcelino Serna Port of Entry". | H.R. | 5252 | May 16, 2016 | WM | EPW | | | ..... | ..... | July 11, 2016 | Sept. 20, 2016 | Sept. 29, 2016 | 225 |
| To authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes. | H.R. | 5936 | Sept. 6, 2016 | VA | | | ..... | ..... | ..... | Sept. 12, 2016 | Sept. 19, 2016 | Sept. 29, 2016 | 226 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, and for other purposes. | H.R. 5937 | Sept. 6, 2016 | FA<br>VA | | | ..... | ..... | ..... | Sept. 12, 2016 | Sept. 20, 2016 | Sept. 29, 2016 | 227 |
| To amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes. | H.R. 5985 | Sept. 9, 2016 | VA<br>AS<br>Bud | | | ..... | ..... | ..... | Sept. 13, 2016 | Sept. 19, 2016 | Sept. 29, 2016 | 228 |
| To extend the pediatric priority review voucher program. | S. 1878 | July 28, 2015 | EC | HEL&P | | Apr. 5, 2016 | ..... | 0 | Sept. 27, 2016 | Sept. 22, 2016 | Sept. 30, 2016 | 229 |
| To authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance. | H.R. 1475 | Mar. 19, 2015 | NR | ENR | Feb. 24, 2016 | July 14, 2016 | 433 | 336 | Feb. 24, 2016 | Sept. 19, 2016 | Oct. 7, 2016 | 230 |
| To support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes. | H.R. 2494 | May 21, 2015 | FA<br>Jud<br>NR | FR | | May 9, 2016 | ..... | 0 | Nov. 2, 2015 | Sept. 15, 2016 | Oct. 7, 2016 | 231 |
| To require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes. | H.R. 2733 | June 11, 2015 | NR | | Apr. 12, 2016 | ..... | 487 | ..... | June 7, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 232 |
| To amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission. | H.R. 3004 | July 9, 2015 | NR | ENR | Feb. 24, 2016 | July 14, 2016 | 430 | 338 | Feb. 24, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 233 |
| To designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the "Randy D. Doub United States Courthouse". | H.R. 3937 | Nov. 5, 2015 | TI | EPW | Mar. 23, 2016 | | 464 | ..... | Sept. 20, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 234 |
| To amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities. | H.R. 5147 | Apr. 29, 2016 | TI | | Sept. 20, 2016 | ..... | 774 | ..... | Sept. 21, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 235 |
| To establish certain rights for sexual assault survivors, and for other purposes. | H.R. 5578 | June 24, 2016 | Jud<br>EC | Jud | Sept. 6, 2016 | | 707 | ..... | Sept. 6, 2016 | Sept. 28, 2016 | Oct. 7, 2016 | 236 |
| To amend the Packers and Stockyards Act, 1921, to clarify the duties relating to services furnished in connection with the buying or selling of livestock in commerce through online, video, or other electronic methods, and for other purposes. | H.R. 5883 | July 14, 2016 | Agr | | Sept. 20, 2016 | ..... | 768 | ..... | Sept. 26, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 237 |
| To amend title 49, United States Code, with respect to certain grant assurances, and for other purposes. | H.R. 5944 | Sept. 7, 2016 | TI | | | ..... | ..... | ..... | Sept. 20, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 238 |
| To amend the Internal Revenue Code of 1986 to exclude from gross income any prizes or awards won in competition in the Olympic Games or the Paralympic Games. | H.R. 5946 | Sept. 7, 2016 | WM | | Sept. 20, 2016 | ..... | 762 | ..... | Sept. 22, 2016 | Sept. 29, 2016 | Oct. 7, 2016 | 239 |
| To amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day. | S. 1004 | Apr. 16, 2015 | VA | Jud | | | ..... | ..... | Sept. 27, 2016 | Nov. 9, 2015 | Oct. 7, 2016 | 240 |
| To exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits. | S. 1698 | June 25, 2015 | OGR | | Feb. 9, 2016 | ..... | 418 | ..... | Sept. 27, 2016 | Nov. 30, 2015 | Oct. 7, 2016 | 241 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To include disabled veteran leave in the personnel management system of the Federal Aviation Administration. | S. | 2683 | Mar. 15, 2016 | | CST | ..... | | ..... | ..... | Sept. 27, 2016 | Sept. 22, 2016 | Oct. 7, 2016 | 242 |
| To designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic". | S. | 3283 | July 14, 2016 | VA | | | ..... | ..... | ..... | Sept. 28, 2016 | July 14, 2016 | Oct. 7, 2016 | 243 |
| To establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes. | S. | 246 | Jan. 22, 2015 | NR | IA | Sept. 6, 2016 | May 11, 2015 | 722 | 39 | Sept. 12, 2016 | June 1, 2015 | Oct. 14, 2016 | 244 |
| To direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes. | H.R. | 845 | Feb. 10, 2015 | Agr NR | | Sept. 20, 2016 | ..... | 770 | ..... | Sept. 26, 2016 | Nov. 16, 2016 | Nov. 28, 2016 | 245 |
| To amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war. | H.R. | 4511 | Feb. 9, 2016 | HA | RAdm | July 5, 2016 | | 663 | ..... | Sept. 6, 2016 | Nov. 15, 2016 | Nov. 28, 2016 | 246 |
| To direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line. | H.R. | 5392 | June 7, 2016 | VA | | | ..... | ..... | ..... | Sept. 26, 2016 | Nov. 16, 2016 | Nov. 28, 2016 | 247 |
| To amend title 49, United States Code, to include consideration of certain impacts on commercial space launch and reentry activities in a navigable airspace analysis, and for other purposes. | H.R. | 6007 | Sept. 13, 2016 | TI | | | ..... | ..... | ..... | Sept. 21, 2016 | Nov. 16, 2016 | Nov. 28, 2016 | 248 |
| To require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes. | H.R. | 4665 | Mar. 2, 2016 | EC | | | ..... | ..... | ..... | Nov. 14, 2016 | Nov. 28, 2016 | Dec. 8, 2016 | 249 |
| To amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations. | H.R. | 4902 | Apr. 12, 2016 | OGR | HS&GA | May 31, 2016 | | 600 | ..... | June 21, 2016 | Nov. 17, 2016 | Dec. 8, 2016 | 250 |
| To amend title 5, United States Code, to provide for an annuity supplement for certain air traffic controllers. | H.R. | 5785 | July 14, 2016 | OGR | | Sept. 20, 2016 | ..... | 765 | ..... | Sept. 20, 2016 | Nov. 29, 2016 | Dec. 8, 2016 | 251 |
| To designate the Federal building and United States courthouse located at 511 East San Antonio Avenue in El Paso, Texas, as the "R.E. Thomason Federal Building and United States Courthouse". | H.R. | 5873 | July 14, 2016 | TI | EPW | Sept. 20, 2016 | | 772 | ..... | Sept. 26, 2016 | Nov. 17, 2016 | Dec. 8, 2016 | 252 |
| To designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the "Tom Stagg United States Courthouse". | S. | 2754 | Apr. 6, 2016 | | EPW | ..... | May 18, 2016 | ..... | 0 | Sept. 26, 2016 | Sept. 15, 2016 | Dec. 8, 2016 | 253 |
| Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes. | H.R. | 2028 | Apr. 24, 2015 | App | App | Apr. 24, 2015 | May 21, 2015 | 91 | 54 | May 1, 2015 | May 12, 2016 | Dec. 10, 2016 | 254 |
| To accelerate the discovery, development, and delivery of 21st century cures, and for other purposes. | H.R. | 34 | Jan. 6, 2015 | SST | CST | | Sept. 22, 2015 | ..... | 146 | Jan. 7, 2015 | Oct. 6, 2015 | Dec. 13, 2016 | 255 |
| To amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs. | H.R. | 3471 | Sept. 10, 2015 | VA | VA | Sept. 6, 2016 | | 709 | ..... | Sept. 12, 2016 | Nov. 17, 2016 | Dec. 14, 2016 | 256 |
| To update the financial disclosure requirements for judges of the District of Columbia courts and to make other improvements to the District of Columbia courts. | H.R. | 4419 | Feb. 1, 2016 | OGR | | Sept. 13, 2016 | ..... | 745 | ..... | Sept. 22, 2016 | Nov. 29, 2016 | Dec. 14, 2016 | 257 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes. | H.R. 5111 | Apr. 28, 2016 | EC | | Sept. 9, 2016 | ..... | 731 | ..... | Sept. 12, 2016 | Nov. 28, 2016 | Dec. 14, 2016 | 258 |
| To name the Department of Veterans Affairs temporary lodging facility in Indianapolis, Indiana, as the "Dr. Otis Bowen Veteran House". | H.R. 5509 | June 16, 2016 | VA | VA | | | ..... | ..... | Sept. 26, 2016 | Nov. 30, 2016 | Dec. 14, 2016 | 259 |
| To strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code. | H.R. 5995 | Sept. 12, 2016 | OGR | | Sept. 21, 2016 | ..... | 779 | ..... | Sept. 21, 2016 | Nov. 30, 2016 | Dec. 14, 2016 | 260 |
| To enhance whistleblower protection for contractor and grantee employees. | S. 795 | Mar. 18, 2015 | OGR AS | HS&GA | | June 7, 2016 | ..... | 270 | Dec. 5, 2016 | June 23, 2016 | Dec. 14, 2016 | 261 |
| To provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon. | S. 817 | Mar. 19, 2015 | | IA | ..... | Mar. 2, 2016 | ..... | 219 | Dec. 6, 2016 | July 14, 2016 | Dec. 14, 2016 | 262 |
| To amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes. | S. 818 | Mar. 19, 2015 | | IA | ..... | Mar. 16, 2016 | ..... | 230 | Dec. 6, 2016 | July 14, 2016 | Dec. 14, 2016 | 263 |
| To amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes. | S. 1550 | June 10, 2015 | OGR | HS&GA | June 21, 2016 | Nov. 3, 2015 | 637 | 162 | Sept. 22, 2016 | Nov. 19, 2015 | Dec. 14, 2016 | 264 |
| To award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II. | S. 1555 | June 11, 2015 | FS HA | BHUA | | | ..... | ..... | Nov. 30, 2016 | July 13, 2016 | Dec. 14, 2016 | 265 |
| To require a regional strategy to address the threat posed by Boko Haram. | S. 1632 | June 18, 2015 | FA Int | FR | | July 29, 2015 | ..... | 0 | Dec. 7, 2016 | Sept. 22, 2015 | Dec. 14, 2016 | 266 |
| To require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes. | S. 1808 | July 21, 2015 | | HS&GA | ..... | Oct. 19, 2015 | ..... | 155 | Nov. 29, 2016 | Nov. 16, 2016 | Dec. 14, 2016 | 267 |
| To direct the Secretary of Homeland Security to make anthrax vaccines available to emergency response providers, and for other purposes. | S. 1915 | Aug. 3, 2015 | | HS&GA | ..... | May 9, 2016 | ..... | 251 | Nov. 29, 2016 | Nov. 16, 2016 | Dec. 14, 2016 | 268 |
| To award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II. | S. 2234 | Nov. 4, 2015 | FS HA | BHUA | | | ..... | ..... | Nov. 30, 2016 | Feb. 22, 2016 | Dec. 14, 2016 | 269 |
| To require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes. | S. 2873 | Apr. 28, 2016 | EC | HEL&P | | | ..... | ..... | Dec. 6, 2016 | Nov. 29, 2016 | Dec. 14, 2016 | 270 |
| To ensure funding for the National Human Trafficking Hotline, and for other purposes. | S. 2974 | May 23, 2016 | | HEL&P | ..... | | ..... | ..... | Dec. 8, 2016 | Nov. 28, 2016 | Dec. 14, 2016 | 271 |
| To redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness. | S. 3028 | June 7, 2016 | NR | ENR | Nov. 14, 2016 | July 14, 2016 | 822 | 0 | Dec. 7, 2016 | July 14, 2016 | Dec. 14, 2016 | 272 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes. | S. | 3076 | June 20, 2016 | VA | VA | | | ..... | ..... | Dec. 6, 2016 | Sept. 20, 2016 | Dec. 14, 2016 | 273 |
| To prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes. | S. | 3183 | July 13, 2016 | | CST | ..... | Sept. 27, 2016 | ..... | 391 | Dec. 7, 2016 | Nov. 30, 2016 | Dec. 14, 2016 | 274 |
| To require limitations on prescribed burns. | S. | 3395 | Sept. 27, 2016 | Agr<br>NR | ANF | | | ..... | ..... | Dec. 5, 2016 | Nov. 17, 2016 | Dec. 14, 2016 | 275 |
| To designate the Traverse City VA Community-Based Outpatient Clinic of the Department of Veterans Affairs in Traverse City, Michigan, as the "Colonel Demas T. Craw VA Clinic". | S. | 3492 | Dec. 1, 2016 | VA | | | ..... | ..... | ..... | Dec. 6, 2016 | Dec. 1, 2016 | Dec. 14, 2016 | 276 |
| To reauthorize the Iran Sanctions Act of 1996. | H.R. | 6297 | Nov. 14, 2016 | FA<br>FS<br>Jud<br>WM<br>OGR | | | ..... | ..... | ..... | Nov. 15, 2016 | Dec. 1, 2016 | Dec. 15, 2016 | 277 |
| To require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes. | H.R. | 710 | Feb. 4, 2015 | HS | HS&GA<br>CST | | Apr. 25, 2016 | ..... | 244 | Feb. 10, 2015 | Dec. 10, 2016 | Dec. 16, 2016 | 278 |
| To provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes. | H.R. | 875 | Feb. 11, 2015 | WM<br>TI<br>Jud<br>HS<br>Agr | | | ..... | ..... | ..... | Dec. 6, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 279 |
| To designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic. | H.R. | 960 | Feb. 12, 2015 | VA | VA | | | ..... | ..... | May 23, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 280 |
| To amend the International Religious Freedom Act of 1998 to improve the ability of the United States to advance religious freedom globally through enhanced diplomacy, training, counterterrorism, and foreign assistance efforts, and through stronger and more flexible political responses to religious freedom violations and violent extremism worldwide, and for other purposes. | H.R. | 1150 | Feb. 27, 2015 | FA<br>FS<br>OGR | FR | | Dec. 7, 2016 | ..... | 0 | May 16, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 281 |
| To require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the moon. | H.R. | 2726 | June 10, 2015 | FS<br>Bud | | | ..... | ..... | ..... | Dec. 5, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 282 |
| Designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California as the "Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building". | H.R. | 3218 | July 27, 2015 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | May 23, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 283 |
| To amend the Securities Exchange Act of 1934 to establish an Office of the Advocate for Small Business Capital Formation and a Small Business Capital Formation Advisory Committee, and for other purposes. | H.R. | 3784 | Oct. 21, 2015 | FS | BHUA | Feb. 1, 2016 | | 408 | ..... | Feb. 1, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 284 |
| To improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes. | H.R. | 3842 | Oct. 28, 2015 | HS<br>Jud | Jud | Nov. 19, 2015 | | 343 | ..... | Dec. 8, 2015 | Dec. 10, 2016 | Dec. 16, 2016 | 285 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes. | H.R. 4352 | Jan. 8, 2016 | VA | | | ..... | ..... | ..... | Dec. 6, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 286 |
| To decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes. | H.R. 4465 | Feb. 4, 2016 | TI<br>OGR | | May 23, 2016<br>May 23, 2016 | ..... | 578 | ..... | May 23, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 287 |
| To designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the "Sidney Oslin Smith, Jr. Federal Building and United States Courthouse". | H.R. 4618 | Feb. 25, 2016 | TI | EPW | Mar. 23, 2016 | | 463 | ..... | Apr. 18, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 288 |
| To prepare the National Park Service for its Centennial in 2016 and for a second century of promoting and protecting the natural, historic, and cultural resources of our National Parks for the enjoyment of present and future generations, and for other purposes. | H.R. 4680 | Mar. 3, 2016 | NR<br>Agr<br>E&W | | May 19, 2016 | ..... | 576 | ..... | Dec. 6, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 289 |
| To designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office". | H.R. 4887 | Mar. 23, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 290 |
| To increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes. | H.R. 4939 | Apr. 14, 2016 | FA | FR | | Dec. 7, 2016 | ..... | 0 | June 13, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 291 |
| To restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes. | H.R. 5015 | Apr. 20, 2016 | AS<br>WM | | | ..... | ..... | ..... | Dec. 5, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 292 |
| To direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water, and juice on airplanes, and for other purposes. | H.R. 5065 | Apr. 26, 2016 | HS | CST | Sept. 20, 2016 | | 775 | ..... | Sept. 27, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 293 |
| To establish a pilot program on partnership agreements to construct new facilities for the Department of Veterans Affairs. | H.R. 5099 | Apr. 28, 2016 | VA | | Nov. 14, 2016 | ..... | 814 | ..... | Dec. 7, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 294 |
| To designate the facility of the United States Postal Service located at 3031 Veterans Road West in Staten Island, New York, as the "Leonard Montalto Post Office Building". | H.R. 5150 | Apr. 29, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 295 |
| To designate the facility of the United States Postal Service located at 401 McElroy Drive in Oxford, Mississippi, as the "Army First Lieutenant Donald C. Carwile Post Office Building". | H.R. 5309 | May 23, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 296 |

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| To designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the "E. Marie Youngblood Post Office". | H.R. | 5356 | May 26, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 297 |
| To designate the facility of the United States Postal Service located at 810 N US Highway 83 in Zapata, Texas, as the "Zapata Veterans Post Office". | H.R. | 5591 | June 28, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 298 |
| To designate the facility of the United States Postal Service located at 2886 Sandy Plains Road in Marietta, Georgia, as the "Marine Lance Corporal Squire 'Skip' Wells Post Office Building". | H.R. | 5612 | July 1, 2016 | OGR | HS&GA | | ..... | ..... | ..... | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 299 |
| To designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building". | H.R. | 5676 | July 7, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 300 |
| To eliminate or modify certain mandates of the Government Accountability Office. | H.R. | 5687 | July 8, 2016 | OGR<br>TI<br>FS<br>EC<br>WM<br>HS | | Sept. 19, 2016 | ..... | 760 | ..... | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 301 |
| To provide adequate protections for whistleblowers at the Federal Bureau of Investigation. | H.R. | 5790 | July 14, 2016 | OGR | | Nov. 29, 2016 | ..... | 835 | ..... | Dec. 7, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 302 |
| To designate the facility of the United States Postal Service located at 1101 Davis Street in Evanston, Illinois, as the "Abner J. Mikva Post Office Building". | H.R. | 5798 | July 14, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 22, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 303 |
| To amend the Homeland Security Act of 2002 and the United States-Israel Strategic Partnership Act of 2014 to promote cooperative homeland security research and antiterrorism programs relating to cybersecurity, and for other purposes. | H.R. | 5877 | July 14, 2016 | HS<br>FA | | Nov. 15, 2016 | ..... | 827 | ..... | Nov. 29, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 304 |
| To designate the facility of the United States Postal Service located at 1 Chalan Kanoa VLG in Saipan, Northern Mariana Islands, as the "Segundo T. Sablan and CNMI Fallen Military Heroes Post Office Building". | H.R. | 5889 | July 14, 2016 | OGR | HS&GA | | Nov. 17, 2016 | ..... | 0 | Sept. 20, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 305 |
| To designate the facility of the United States Postal Service located at 830 Kuhn Drive in Chula Vista, California, as the "Jonathan 'J.D.' De Guzman Post Office Building". | H.R. | 5948 | Sept. 7, 2016 | OGR | | | ..... | ..... | ..... | Nov. 30, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 306 |
| To allow the Administrator of the Federal Aviation Administration to enter into reimbursable agreements for certain airport projects. | H.R. | 6014 | Sept. 13, 2016 | TI | CST | | | ..... | ..... | Sept. 21, 2016 | Dec. 1, 2016 | Dec. 16, 2016 | 307 |
| To provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis. | H.R. | 6130 | Sept. 22, 2016 | Jud | | | ..... | ..... | ..... | Dec. 7, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 308 |
| To designate the facility of the United States Postal Service located at 560 East Pleasant Valley Road, Port Hueneme, California, as the U.S. Naval Construction Battalion "Seabees" Fallen Heroes Post Office Building. | H.R. | 6138 | Sept. 22, 2016 | OGR | | | ..... | ..... | ..... | Nov. 30, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 309 |
| To designate the facility of the United States Postal Service located at 2024 Jerome Avenue, in Bronx, New York, as the "Dr. Roscoe C. Brown, Jr. Post Office Building". | H.R. | 6282 | Sept. 28, 2016 | OGR | | | ..... | ..... | ..... | Nov. 30, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 310 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 114– | Senate 114– | House | Senate | Date approved | No. 114– |
| To provide an increase in premium pay for protective services during 2016, and for other purposes. | H.R. 6302 | Nov. 14, 2016 | OGR | | Nov. 29, 2016 | ..... | 837 | ..... | Nov. 30, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 311 |
| To designate the facility of the United States Postal Service located at 501 North Main Street in Florence, Arizona, as the "Adolfo 'Harpo' Celaya Post Office". | H.R. 6304 | Nov. 14, 2016 | OGR | | | ..... | ..... | ..... | Nov. 30, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 312 |
| To name the Department of Veterans Affairs health care system in Long Beach, California, the "Tibor Rubin VA Medical Center". | H.R. 6323 | Nov. 15, 2016 | VA | | | ..... | ..... | ..... | Nov. 29, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 313 |
| To revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in New Jersey. | H.R. 6400 | Nov. 29, 2016 | NR | | | ..... | ..... | ..... | Dec. 7, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 314 |
| To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes. | H.R. 6416 | Dec. 1, 2016 | VA Bud AS | | | ..... | ..... | ..... | Dec. 6, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 315 |
| To ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives. | H.R. 6431 | Dec. 2, 2016 | Jud | | | ..... | ..... | ..... | Dec. 7, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 316 |
| To amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes. | H.R. 6450 | Dec. 7, 2016 | OGR | | | ..... | ..... | ..... | Dec. 8, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 317 |
| To improve the Government-wide management of Federal property. | H.R. 6451 | Dec. 7, 2016 | OGR TI | | | ..... | ..... | ..... | Dec. 8, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 318 |
| To amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title. | H.R. 6477 | Dec. 8, 2016 | | | ..... | ..... | ..... | ..... | Dec. 8, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 319 |
| To provide for the approval of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy. | S. 8 | Dec. 1, 2016 | | FR | ..... | Dec. 7, 2016 | ..... | 0 | Dec. 13, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 320 |
| To establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes. | S. 546 | Feb. 24, 2015 | TI | HS&GA | Nov. 14, 2016 | July 21, 2015 | 808 | 85 | Nov. 29, 2016 | May 9, 2016 | Dec. 16, 2016 | 321 |
| To provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. | S. 612 | Feb. 27, 2015 | TI | EPW | | May 4, 2015 | ..... | 0 | Dec. 8, 2016 | May 21, 2015 | Dec. 16, 2016 | 322 |
| To authorize the Department of State for fiscal year 2016, and for other purposes. | S. 1635 | June 18, 2015 | FA | FR | | June 18, 2015 | ..... | 0 | Dec. 5, 2016 | Apr. 28, 2016 | Dec. 16, 2016 | 323 |

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| To protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes. | S. | 2577 | Feb. 24, 2016 | Jud FS | Jud | | May 12, 2016 | ..... | 0 | Nov. 29, 2016 | June 16, 2016 | Dec. 16, 2016 | 324 |
| To reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007. | S. | 2854 | Apr. 26, 2016 | Jud | Jud | | | ..... | ..... | Dec. 7, 2016 | July 14, 2016 | Dec. 16, 2016 | 325 |
| To authorize the National Urban Search and Rescue Response System. | S. | 2971 | May 23, 2016 | TI | HS&GA | | Aug. 30, 2016 | ..... | 307 | Dec. 7, 2016 | Nov. 30, 2016 | Dec. 16, 2016 | 326 |
| To implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes. | H.R. | 6452 | Dec. 7, 2016 | NR SST | | | ..... | ..... | ..... | Dec. 8, 2016 | Dec. 10, 2016 | Dec. 16, 2016 | 327 |
| To authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. | S. | 2943 | May 18, 2016 | | AS | ..... | May 18, 2016 | ..... | 255 | July 7, 2016 | June 14, 2016 | Dec. 23, 2016 | 328 |
| To invest in innovation through research and development, and to improve the competitiveness of the United States. | S. | 3084 | June 22, 2016 | | CST | ..... | Dec. 1, 2016 | ..... | 389 | Dec. 16, 2016 | Dec. 10, 2016 | Jan. 6, 2017 | 329 |

## TABLE OF COMMITTEE ABBREVIATIONS

AG .....Aging
Agr .....Agriculture
ANF .....Agriculture, Nutrition, and Forestry
App .....Appropriations
AS .....Armed Services
BHUA ....Banking, Housing, and Urban Affairs
Bud .....Budget
CST .....Commerce, Science and Transportation
E&W .....Education and the Workforce
EC .....Energy and Commerce
ENR .....Energy and Natural Resources
EPW .....Environment and Public Works
Eth .....Ethics
Fin .....Finance
FS .....Financial Services
FA .....Foreign Affairs
FR .....Foreign Relations
HEL&P ..Health, Education, Labor, and Pensions
HS .....Homeland Security
HS&GA ..Homeland Security and Governmental Affairs
HA .....House Administration
IA .....Indian Affairs
Int .....Intelligence
Jud .....Judiciary
NR .....Natural Resources
OGR .....Oversight and Government Reform
R .....Rules
RAdm ....Rules and Administration
SST .....Science, Space, and Technology
SB .....Small Business
SBE .....Small Business and Entrepreneurship
TI .....Transportation and Infrastructure
VA .....Veterans' Affairs
WM .....Ways and Means

*Next Meeting of the* **SENATE**

**2 p.m., Monday, March 13**

**Senate Chamber**

**Program for Monday:** Senate will resume consideration of the nomination of Seema Verma, of Indiana, to be Administrator of the Centers for Medicare and Medicaid Services, Department of Health and Human Services, post-cloture, and vote on confirmation of the nomination at 5:30 p.m.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**9 a.m., Friday, March 10**

**House Chamber**

**Program for Friday:** Consideration of H.R. 720—Lawsuit Abuse Reduction Act of 2017.

## Extensions of Remarks, as inserted in this issue

HOUSE



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